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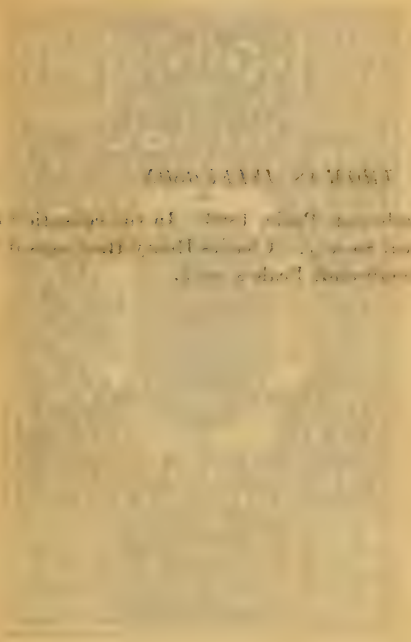

THOMAS JEFFERSON

Painting by Rembrandt Peale, 1803. In the collection of the New York Historical Society. Charles Henry Hart says it is the best example of Rembrandt Peale's work.

JEFFERSON AND HIS COLLEAGUES

A CHRONICLE OF THE VIRGINIA DYNASTY

BY ALLEN JOHNSON

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Painting by Rembrandt Peale, 1803. In the collection of the New York Historical Society. Charles Henry Hart says it is the best example of Rembrandt Peale's work. *Frontispiece*

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JEFFERSON AND HIS COLLEAGUES

CHAPTER I

PRESIDENT JEFFERSON'S COURT

THE rumble of President John Adams's coach had hardly died away in the distance on the morning of March 4, 1801, when Mr. Thomas Jefferson entered the breakfast room of Conrad's boarding house on Capitol Hill, where he had been living in bachelor's quarters during his Vice-Presidency. He took his usual seat at the lower end of the table among the other boarders, declining with a smile to accept the chair of the impulsive Mrs. Brown, who felt, in spite of her democratic principles, that on this day of all days Mr. Jefferson should have the place which he had obstinately refused to occupy at the head of the table and near the fireplace. There were others besides the wife of the Senator from Kentucky who felt that Mr. Jefferson was carrying

equality too far. But Mr. Jefferson would not take precedence over the Congressmen who were his fellow boarders.

Conrad's was conveniently near the Capitol, on the south side of the hill, and commanded an extensive view. The slope of the hill, which was a wild tangle of verdure in summer, debouched into a wide plain extending to the Potomac. Through this lowland wandered a little stream, once known as Goose Creek but now dignified by the name of Tiber. The banks of the stream as well as of the Potomac were fringed with native flowering shrubs and graceful trees, in which Mr. Jefferson took great delight. The prospect from his drawing-room windows, indeed, quite as much as anything else, attached him to Conrad's.

As was his wont, Mr. Jefferson withdrew to his study after breakfast and doubtless ran over the pages of a manuscript which he had been preparing with some care for this Fourth of March. It may be guessed, too, that here, as at Monticello, he made his usual observations — noting in his diary the temperature, jotting down in the garden-book which he kept for thirty years an item or two about the planting of vegetables, and recording, as he continued to do for eight years, the earliest and

latest appearance of each comestible in the Washington market. Perhaps he made a few notes about the "seeds of the cymbling (*cucurbita vermeosa*) and squash (*cucurbita melopipo*)" which he purposed to send to his friend Philip Mazzei, with directions for planting; or even wrote a letter full of reflections upon bigotry in politics and religion to Dr. Joseph Priestley, whom he hoped soon to have as his guest in the President's House.

Toward noon Mr. Jefferson stepped out of the house and walked over to the Capitol — a tall, rather loose-jointed figure, with swinging stride, symbolizing, one is tempted to think, the angularity of the American character. "A tall, large-boned farmer," an unfriendly English observer called him. His complexion was that of a man constantly exposed to the sun — sandy or freckled, contemporaries called it — but his features were clean-cut and strong and his expression was always kindly and benignant.

Aside from salvos of artillery at the hour of twelve, the inauguration of Mr. Jefferson as President of the United States was marked by extreme simplicity. In the Senate chamber of the unfinished Capitol, he was met by Aaron Burr, who had already been installed as presiding officer, and

conducted to the Vice-President's chair, while that debonair man of the world took a seat on his right with easy grace. On Mr. Jefferson's left sat Chief Justice John Marshall, a "tall, lax, lounging Virginian," with black eyes peering out from his swarthy countenance. There is a dramatic quality in this scene of the President-to-be seated between two men who are to cause him more vexation of spirit than any others in public life. Burr, brilliant, gifted, ambitious, and profligate; Marshall, temperamentally and by conviction opposed to the principles which seemed to have triumphed in the election of this radical Virginian, to whom indeed he had a deep-seated aversion. After a short pause, Mr. Jefferson rose and read his Inaugural Address in a tone so low that it could be heard by only a few in the crowded chamber.

Those who expected to hear revolutionary doctrines must have been surprised by the studied moderation of this address. There was not a Federalist within hearing of Jefferson's voice who could not have subscribed to all the articles in this profession of political faith. "Equal and exact justice to all men" — "a jealous care of the right of election by the people" — "absolute acquiescence in the decisions of the majority" — "the supremacy

of the civil over the military authority" — "the honest payments of our debts" — "freedom of religion" — "freedom of the press" — "freedom of person under the protection of the habeas corpus" — what were these principles but the bright constellation, as Jefferson said, "which has guided our steps through an age of revolution and reformation?" John Adams himself might have enunciated all these principles, though he would have distributed the emphasis somewhat differently.

But what did Jefferson mean when he said, "We have called by different names brethren of the same principle. We are all Republicans — we are all Federalists." If this was true, what, pray, became of the revolution of 1800, which Jefferson had declared "as real a revolution in the principles of our government as that of 1776 was in its form?" Even Jefferson's own followers shook their heads dubiously over this passage as they read and reread it in the news-sheets. It sounded a false note while the echoes of the campaign of 1800 were still reverberating. If Hamilton and his followers were monarchists at heart in 1800, bent upon overthrowing the Government, how could they and the triumphant Republicans be brethren of the same principle in 1801?

The truth of the matter is that Jefferson was holding out an olive branch to his political opponents. He believed, as he remarked in a private letter, that many Federalists were sound Republicans at heart who had been stampeded into the ranks of his opponents during the recent troubles with France. These lost political sheep Jefferson was bent upon restoring to the Republican fold by avoiding utterances and acts which would offend them. "I always exclude the leaders from these considerations," he added confidentially. In short, this Inaugural Address was less a great state paper, marking a broad path for the Government to follow under stalwart leadership, than an astute effort to consolidate the victory of the Republican party.

Disappointing the address must have been to those who had expected a declaration of specific policy. Yet the historian, wiser by the march of events, may read between the lines. When Jefferson said that he desired a wise and frugal government — a government "which should restrain men from injuring one another but otherwise leave them free to regulate their own pursuits — " and when he announced his purpose "to support the state governments in all their rights" and to cultivate "peace with all nations — entangling alliances

with none," he was in effect formulating a policy. But all this was in the womb of the future.

It was many weeks before Jefferson took up his abode in the President's House. In the interval he remained in his old quarters, except for a visit to Monticello to arrange for his removal, which indeed he was in no haste to make, for "The Palace," as the President's House was dubbed satirically, was not yet finished; its walls were not fully plastered, and it still lacked the main staircase — which, it must be admitted, was a serious defect if the new President meant to hold court. Besides, it was inconveniently situated at the other end of the straggling, unkempt village. At Conrad's Jefferson could still keep in touch with those members of Congress and those friends upon whose advice he relied in putting "our Argosie on her Republican tack," as he was wont to say. Here, in his drawing-room, he could talk freely with practical politicians such as Charles Pinckney, who had carried the ticket to success in South Carolina and who might reasonably expect to be consulted in organizing the new Administration.

The chief posts in the President's official household, save one, were readily filled. There were

only five heads of departments to be appointed, and of these the Attorney-General might be described as a head without a department, since the duties of his office were few and required only his occasional attention. As it fell out, however, the Attorney-General whom Jefferson appointed, Levi Lincoln of Massachusetts, practically carried on the work of all the Executive Departments until his colleagues were duly appointed and commissioned. For Secretary of War Jefferson chose another reliable New Englander, Henry Dearborn of Maine. The naval portfolio went begging, perhaps because the navy was not an imposing branch of the service, or because the new President had announced his desire to lay up all seven frigates in the eastern branch of the Potomac, where "they would be under the immediate eye of the department and would require but one set of plunderers to look after them." One conspicuous Republican after another declined this dubious honor, and in the end Jefferson was obliged to appoint as Secretary of the Navy Robert Smith, whose chief qualification was his kinship to General Samuel Smith, an influential politician of Maryland.

The appointment by Jefferson of James Madison as Secretary of State occasioned no surprise, for the

intimate friendship of the two Virginians and their long and close association in politics led every one to expect that he would occupy an important post in the new Administration, though in truth that friendship was based on something deeper and finer than mere agreement in politics. "I do believe," exclaimed a lady who often saw both men in private life, "father never loved son more than Mr. Jefferson loves Mr. Madison." The difference in age, however, was not great, for Jefferson was in his fifty-eighth year and Madison in his fiftieth. It was rather mien and character that suggested the filial relationship. Jefferson was, or could be if he chose, an imposing figure; his stature was six feet two and one-half inches. Madison had the ways and habits of a little man, for he was only five feet six. Madison was naturally timid and retiring in the presence of other men, but he was at his best in the company of his friend Jefferson, who valued his attainments. Indeed, the two men supplemented each other. If Jefferson was prone to theorize, Madison was disposed to find historical evidence to support a political doctrine. While Jefferson generalized boldly, even rashly, Madison hesitated, temporized, weighed the pros and cons, and came with difficulty to a conclusion. Unhappily neither

was a good judge of men. When pitted against a Bonaparte, a Talleyrand, or a Canning, they appeared provincial in their ways and limited in their sympathetic understanding of statesmen of the Old World.

Next to that of Madison, Jefferson valued the friendship of Albert Gallatin, whom he made Secretary of the Treasury by a recess appointment, since there was some reason to fear that the Federalist Senate would not confirm the nomination. The Federalists could never forget that Gallatin was a Swiss by birth — an alien of supposedly radical tendencies. The partisan press never exhibited its crass provincialism more shamefully than when it made fun of Gallatin's imperfect pronunciation of English. He had come to America, indeed, too late to acquire a perfect control of a new tongue, but not too late to become a loyal son of his adopted country. He brought to Jefferson's group of advisers not only a thorough knowledge of public finance but a sound judgment and a statesmanlike vision, which were often needed to rectify the political vagaries of his chief.

The last of his Cabinet appointments made, Jefferson returned to his country seat at Monticello for August and September, for he was determined

not to pass those two "bilious months" in Washington. "I have not done it these forty years," he wrote to Gallatin. "Grumble who will, I will never pass those two months on tidewater." To Monticello, indeed, Jefferson turned whenever his duties permitted and not merely in the sickly months of summer, for when the roads were good the journey was rapidly and easily made by stage or chaise. There, in his garden and farm, he found relief from the distractions of public life. "No occupation is so delightful to me," he confessed, "as the culture of the earth, and no culture comparable to that of the garden." At Monticello, too, he could gratify his delight in the natural sciences, for he was a true child of the eighteenth century in his insatiable curiosity about the physical universe and in his desire to reduce that universe to an intelligible mechanism. He was by instinct a rationalist and a foe to superstition in any form, whether in science or religion. His indefatigable pen was as ready to discuss vaccination and yellow fever with Dr. Benjamin Rush as it was to exchange views with Dr. Priestley on the ethics of Jesus.

The diversity of Jefferson's interests is truly remarkable. Monticello is a monument to his

almost Yankee-like ingenuity. He writes to his friend Thomas Paine to assure him that the semi-cylindrical form of roof after the De Lorme pattern, which he proposes for his house, is entirely practicable, for he himself had "used it at home for a dome, being 120° of an oblong octagon." He was characteristically American in his receptivity to new ideas from any source. A chance item about Eli Whitney of New Haven arrests his attention and forthwith he writes to Madison recommending a "Mr. Whitney at Connecticut, a mechanic of the first order of ingenuity, who invented the cotton-gin," and who has recently invented "molds and machines for making all the pieces of his [musket] locks so exactly equal that take one hundred locks to pieces and mingle their parts and the hundred locks may be put together as well by taking the first pieces which come to hand." To Robert Fulton, then laboring to perfect his torpedoes and submarine, Jefferson wrote encouragingly: "I have ever looked to the submarine boat as most to be depended on for attaching them [*i. e.*, torpedoes] . . . I am in hopes it is not to be abandoned as impracticable."

It was not wholly affectation, therefore, when Jefferson wrote, "Nature intended me for the

tranquil pursuits of science, by rendering them my supreme delight. But the enormities of the times in which I have lived, have forced me to take a part in resisting them, and to commit myself on the boisterous ocean of political passions." One can readily picture this Virginia farmer-philosopher ruefully closing his study door, taking a last look over the gardens and fields of Monticello, in the golden days ot October, and mounting Wildair, his handsome thoroughbred, setting out on the dusty road for that little political world at Washington, where rumor so often got the better of reason and where gossip was so likely to destroy philosophic serenity.

Jefferson had been a widower for many years; and so, since his daughters were married and had households of their own, he was forced to preside over his ménage at Washington without the feminine touch and tact so much needed at this American court. Perhaps it was this unhappy circumstance quite as much as his dislike for ceremonies and formalities that made Jefferson do away with the weekly levees of his predecessors and appoint only two days, the First of January and the Fourth of July, for public receptions. On such occasions

he begged Mrs. Dolly Madison to act as hostess; and a charming and gracious figure she was, casting a certain extenuating veil over the President's gaucheries. Jefferson held, with his many political heresies, certain theories of social intercourse which ran rudely counter to the prevailing etiquette of foreign courts. Among the rules which he devised for his republican court, the precedence due to rank was conspicuously absent, because he held that "all persons when brought together in society are perfectly equal, whether foreign or domestic, titled or untitled, in or out of office." One of these rules to which the Cabinet gravely subscribed read as follows:

> To maintain the principles of equality, or of pêle mêle, and prevent the growth of precedence out of courtesy, the members of the Executive will practise at their own houses, and recommend an adherence to the ancient usage of the country, of gentlemen in mass giving precedence to the ladies in mass, in passing from one apartment where they are assembled into another.

The application of this rule on one occasion gave rise to an incident which convulsed Washington society. President Jefferson had invited to dinner the new British Minister Merry and his wife, the Spanish Minister Yrujo and his wife, the French

Minister Pichon and his wife, and Mr. and Mrs. Madison. When dinner was announced, Mr. Jefferson gave his hand to Mrs. Madison and seated her on his right, leaving the rest to straggle in as they pleased. Merry, fresh from the Court of St. James, was aghast and affronted; and when a few days later, at a dinner given by the Secretary of State, he saw Mrs. Merry left without an escort, while Mr. Madison took Mrs. Gallatin to the table, he believed that a deliberate insult was intended. To appease this indignant Briton the President was obliged to explain officially his rule of "pêle mêle"; but Mrs. Merry was not appeased and positively refused to appear at the President's New Year's Day reception. "Since then," wrote the amused Pichon, "Washington society is turned upside down; all the women are to the last degree exasperated against Mrs. Merry; the Federalist newspapers have taken up the matter, and increased the irritations by sarcasms on the administration and by making a burlesque of the facts." Then Merry refused an invitation to dine again at the President's, saying that he awaited instructions from his Government; and the Marquis Yrujo, who had reasons of his own for fomenting trouble, struck an alliance with the Merrys and also declined the

President's invitation. Jefferson was incensed at their conduct, but put the blame upon Mrs. Merry, whom he characterized privately as a "virago who has already disturbed our harmony extremely."

A brilliant English essayist has observed that a government to secure obedience must first excite reverence. Some such perception, coinciding with native taste, had moved George Washington to assume the trappings of royalty, in order to surround the new presidential office with impressive dignity. Posterity has, accordingly, visualized the first President and Father of his Country as a statuesque figure, posing at formal levees with a long sword in a scabbard of white polished leather, and clothed in black velvet knee-breeches, with yellow gloves and a cocked hat. The third President of the United States harbored no such illusions and affected no such poses. Governments were made by rational beings — "by the consent of the governed," he had written in a memorable document — and rested on no emotional basis. Thomas Jefferson remained Thomas Jefferson after his election to the chief magistracy; and so contemporaries saw him in the President's House, an unimpressive figure clad in "a blue coat, a thick gray-colored hairy waistcoat, with a red underwaist

lapped over it, green velveteen breeches, with pearl buttons, yarn stockings, and slippers down at the heels." Any one might have found him, as Senator Maclay did, sitting "in a lounging manner, on one hip commonly, and with one of his shoulders elevated much above the other," a loose, shackling figure with no pretense at dignity.

In his dislike for all artificial distinctions between man and man, Jefferson determined from the outset to dispense a true Southern hospitality at the President's House and to welcome any one at any hour on any day. There was therefore some point to John Quincy Adams's witticism that Jefferson's "whole eight years was a levee." No one could deny that he entertained handsomely. Even his political opponents rose from his table with a comfortable feeling of satiety which made them more kindly in their attitude toward their host. "We sat down at the table at four," wrote Senator Plumer of New Hampshire, "rose at six, and walked immediately into another room and drank coffee. We had a very good dinner, with a profusion of fruits and sweetmeats. The wine was the best I ever drank, particularly the champagne, which was indeed delicious."

It was in the circle of his intimates that Jefferson

appeared at his best, and of all his intimate friends Madison knew best how to evoke the true Jefferson. To outsiders Madison appeared rather taciturn, but among his friends he was genial and even lively, amusing all by his ready humor and flashes of wit. To his changes of mood Jefferson always responded. Once started Jefferson would talk on and on, in a loose and rambling fashion, with a great deal of exaggeration and with many vagaries, yet always scattering much information on a great variety of topics. Here we may leave him for the moment, in the exhilarating hours following his inauguration, discoursing with Pinckney, Gallatin, Madison, Burr, Randolph, Giles, Macon, and many another good Republican, and evolving the policies of his Administration.

CHAPTER II

PUTTING THE SHIP ON HER REPUBLICAN TACK

President Jefferson took office in a spirit of exultation which he made no effort to disguise in his private letters. "The tough sides of our Argosie," he wrote to John Dickinson, "have been thoroughly tried. Her strength has stood the waves into which she was steered with a view to sink her. We shall put her on her Republican tack, and she will now show by the beauty of her motion the skill of her builders." In him as in his two intimates, Gallatin and Madison, there was a touch of that philosophy which colored the thought of reformers on the eve of the French Revolution, a naïve confidence in the perfectability of man and the essential worthiness of his aspirations. Strike from man the shackles of despotism and superstition and accord to him a free government, and he would rise to unsuspected felicity. Republican government was the strongest government on earth, because it was founded on

free will and imposed the fewest checks on the legitimate desires of men. Only one thing was wanting to make the American people happy and prosperous, said the President in his Inaugural Address: "a wise and frugal government, which shall restrain men from injuring one another, which shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned." This, he believed, was the sum of good government; and this was the government which he was determined to establish. Whether government thus reduced to lowest terms would prove adequate in a world rent by war, only the future could disclose.

It was only in intimate letters and in converse with Gallatin and Madison that Jefferson revealed his real purposes. So completely did Jefferson take these two advisers into his confidence, and so loyal was their coöperation, that the Government for eight years has been described as a triumvirate almost as clearly defined as any triumvirate of Rome. Three more congenial souls certainly have never ruled a nation, for they were drawn together not merely by agreement on a common policy but by sympathetic understanding of the fundamental principles of government. Gallatin and Madison

often frequented the President's House, and there one may see them in imagination and perhaps catch now and then a fragment of their conversation:

Gallatin: We owe much to geographical position; we have been fortunate in escaping foreign wars. If we can maintain peaceful relations with other nations, we can keep down the cost of administration and avoid all the ills which follow too much government.

The President: After all, we are chiefly an agricultural people and if we shape our policy accordingly we shall be much more likely to multiply and be happy than as if we mimicked an Amsterdam, a Hamburg, or a city like London.

Madison (quietly): I quite agree with you. We must keep the government simple and republican, avoiding the corruption which inevitably prevails in crowded cities.

Gallatin (pursuing his thought): The moment you allow the national debt to mount, you entail burdens on posterity and augment the operations of government.

The President (bitterly): The principle of spending money to be paid by posterity is but swindling futurity on a large scale. That was what Hamilton——

Gallatin: Just so; and if this administration does not reduce taxes, they will never be reduced. We must strike at the root of the evil and avert the danger of multiplying the functions of government. I would repeal all internal taxes. These pretended tax-preparations, treasure-preparations, and army-preparations against contingent wars tend only to encourage wars.

The President (nodding his head in agreement): The discharge of the debt is vital to the destinies of our government, and for the present we must make all objects subordinate to this. We must confine our general government to foreign concerns only and let our affairs be disentangled from those of all other nations, except as to commerce. And our commerce is so valuable to other nations that they will be glad to purchase it, when they know that all we ask is justice. Why, then, should we not reduce our general government to a very simple organization and a very unexpensive one — a few plain duties to be performed by a few servants?

It was precisely the matter of selecting these few servants which worried the President during his first months in office, for the federal offices were held by Federalists almost to a man. He hoped that he would have to make only a few removals:

any other course would expose him to the charge of inconsistency after his complacent statement that there was no fundamental difference between Republicans and Federalists. But his followers thought otherwise; they wanted the spoils of victory and they meant to have them. Slowly and reluctantly Jefferson yielded to pressure, justifying himself as he did so by the reflection that a due participation in office was a matter of right. And how, pray, could due participation be obtained, if there were no removals? Deaths were regrettably few; and resignations could hardly be expected. Once removals were decided upon, Jefferson drifted helplessly upon the tide. For a moment, it is true, he wrote hopefully about establishing an equilibrium and then returning "with joy to that state of things when the only questions concerning a candidate shall be: Is he honest? Is he capable? Is he faithful to the Constitution?" That blessed expectation was never realized. By the end of his second term, a Federalist in office was as rare as a Republican under Adams.

The removal of the Collector of the Port at New Haven and the appointment of an octogenarian whose chief qualification was his Republicanism brought to a head all the bitter animosity of

Federalist New England. The hostility to Jefferson in this region was no ordinary political opposition, as he knew full well, for it was compounded of many ingredients. In New England there was a greater social solidarity than existed anywhere else in the Union. Descended from English stock, imbued with common religious and political traditions, and bound together by the ties of a common ecclesiastical polity, the people of this section had, as Jefferson expressed it, "a sort of family pride." Here all the forces of education, property, religion, and respectability were united in the maintenance of the established order against the assaults of democracy. New England Federalism was not so much a body of political doctrine as a state of mind. Abhorrence of the forces liberated by the French Revolution was the dominating emotion. To the Federalist leaders democracy seemed an aberration of the human mind, which was bound everywhere to produce infidelity, looseness of morals, and political chaos. In the words of their Jeremiah, Fisher Ames, "Democracy is a troubled spirit, fated never to rest, and whose dreams, if it sleeps, present only visions of hell." So thinking and feeling, they had witnessed the triumph of Jefferson with genuine alarm, for Jefferson they held to be no better than

a Jacobin, bent upon subverting the social order and saturated with all the heterodox notions of Voltaire and Thomas Paine.

The appointment of the aged Samuel Bishop as Collector of New Haven was evidence enough to the Federalist mind, which fed upon suspicion, that Jefferson intended to reward his son, Abraham Bishop, for political services. The younger Bishop was a stench in their nostrils, for at a recent celebration of the Republican victory he had shocked the good people of Connecticut by characterizing Jefferson as "the illustrious chief who, once insulted, now presides over the Union," and comparing him with the Saviour of the world, "who, once insulted, now presides over the universe." And this had not been his first transgression: he was known as an active and intemperate rebel against the standing order. No wonder that Theodore Dwight voiced the alarm of all New England Federalists in an oration at New Haven, in which he declared that according to the doctrines of Jacobinism "the greatest villain in the community is the fittest person to make and execute the laws." "We have now," said he, "reached the consummation of democratic blessedness. We have a country governed by blockheads and knaves." Here was an

opposition which, if persisted in, might menace the integrity of the Union.

Scarcely less vexatious was the business of appointments in New York where three factions in the Republican party struggled for the control of the patronage. Which should the President support? Gallatin, whose father-in-law was prominent in the politics of the State, was inclined to favor Burr and his followers; but the President already felt a deep distrust of Burr and finally surrendered to the importunities of DeWitt Clinton, who had formed an alliance with the Livingston interests to drive Burr from the party. Despite the pettiness of the game, which disgusted both Gallatin and Jefferson, the decision was fateful. It was no light matter, even for the chief magistrate, to offend Aaron Burr.

From these worrisome details of administration, the President turned with relief to the preparation of his first address to Congress. The keynote was to be economy. But just how economies were actually to be effected was not so clear. For months Gallatin had been toiling over masses of statistics, trying to reconcile a policy of reduced taxation, to satisfy the demands of the party, with the discharge of the public debt. By laborious calculation

he found that if $7,300,000 were set aside each year, the debt — principal and interest — could be discharged within sixteen years. But if the unpopular excise were abandoned, where was the needed revenue to be found? New taxes were not to be thought of. The alternative, then, was to reduce expenditures. But how and where?

Under these circumstances the President and his Cabinet adopted the course which in the light of subsequent events seems to have been woefully ill-timed and hazardous in the extreme. They determined to sacrifice the army and navy. In extenuation of this decision, it may be said that the danger of war with France, which had forced the Adams Administration to double expenditures, had passed; and that Europe was at this moment at peace, though only the most sanguine and shortsighted could believe that continued peace was possible in Europe with the First Consul in the saddle. It was agreed, then, that the expenditures for the military and naval establishments should be kept at about $2,500,000 — somewhat below the normal appropriation before the recent war-flurry; and that wherever possible expenses should be reduced by careful pruning of the list of employees at the navy yards.

Such was the programme of humdrum economy which President Jefferson laid before Congress. After the exciting campaign of 1800, when the public was assured that the forces of Darkness and Light were locked in deadly combat for the soul of the nation, this tame programme seemed like an anticlimax. But those who knew Thomas Jefferson learned to discount the vagaries to which he gave expression in conversation. As John Quincy Adams once remarked after listening to Jefferson's brilliant table talk, "Mr. Jefferson loves to excite wonder." Yet Thomas Jefferson, philosopher, was a very different person from Thomas Jefferson, practical politician. Paradoxical as it may seem, the new President, of all men of his day, was the least likely to undertake revolutionary policies; and it was just this acquaintance with Jefferson's mental habits which led his inveterate enemy, Alexander Hamilton, to advise his party associates to elect Jefferson rather than Burr.

The President broke with precedent, however, in one small particular. He was resolved not to follow the practice of his Federalist predecessors and address Congress in person. The President's speech to the two houses in joint session savored too much of a speech from the throne; it was a symptom of the

Federalist leaning to monarchical forms and practices. He sent his address, therefore, in writing, accompanied with letters to the presiding officers of the two chambers, in which he justified this departure from custom on the ground of convenience and economy of time. "I have had principal regard," he wrote, "to the convenience of the Legislature, to the economy of their time, to the relief from the embarrassment of immediate answers on subjects not yet fully before them, and to the benefits thence resulting to the public affairs." This explanation deceived no one, unless it was the writer himself. It was thoroughly characteristic of Thomas Jefferson that he often explained his conduct by reasons which were obvious afterthoughts — an unfortunate habit which has led his contemporaries and his unfriendly biographers to charge him with hypocrisy. And it must be admitted that his preference for indirect methods of achieving a purpose exposed him justly to the reproaches of those who liked frankness and plain dealing. It is not unfair, then, to wonder whether the President was not thinking rather of his own convenience when he elected to address Congress by written message, for he was not a ready nor an impressive speaker. At all events, he established a precedent

which remained unbroken until another Democratic President, one hundred and twelve years later, returned to the practice of Washington and Adams.

If the Federalists of New England are to be believed, hypocrisy marked the presidential message from the very beginning to the end. It began with a pious expression of thanks "to the beneficent Being" who had been pleased to breathe into the warring peoples of Europe a spirit of forgiveness and conciliation. But even the most bigoted Federalist who could not tolerate religious views differing from his own must have been impressed with the devout and sincere desire of the President to preserve peace. Peace! peace! It was a sentiment which ran through the message like the watermark in the very paper on which he wrote; it was the condition, the absolutely indispensable condition, of every chaste reformation which he advocated. Every reduction of public expenditure was predicated on the supposition that the danger of war was remote because other nations would desire to treat the United States justly. "Salutary reductions in habitual expenditures" were urged in every branch of the public service from the diplomatic and revenue services to the judiciary and the naval yards. War might come, indeed, but "sound

principles would not justify our taxing the industry of our fellow-citizens to accumulate treasure for wars to happen we know not when, and which might not, perhaps, happen but from the temptations offered by that treasure."

On all concrete matters the President's message cut close to the line which Gallatin had marked out. The internal taxes should now be dispensed with and corresponding reductions be made in "our habitual expenditures." There had been unwise multiplication of federal offices, many of which added nothing to the efficiency of the Government but only to the cost. These useless offices should be lopped off, for "when we consider that this Government is charged with the external and mutual relations only of these States, . . . we may well doubt whether our organization is not too complicated, too expensive." In this connection Congress might well consider the Federal Judiciary, particularly the courts newly erected, and "judge of the proportion which the institution bears to the business it has to perform."[1] And finally, Con-

[1] The studied moderation of the message gave no hint of Jefferson's resolute purpose to procure the repeal of the Judiciary Act of 1801. The history of this act and its repeal, as well as of the attack upon the judiciary, is recounted by Edward S. Corwin in *John Marshall and the Constitution* in *The Chronicles of America.*

gress should consider whether the law relating to naturalization should not be revised. "A denial of citizenship under a residence of fourteen years is a denial to a great proportion of those who ask it"; and "shall we refuse to the unhappy fugitives from distress that hospitality which savages of the wilderness extended to our fathers arriving in this land?"

The most inveterate foe could not characterize this message as revolutionary, however much he might dissent from the policies advocated. It was not Jefferson's way, indeed, to announce his intentions boldly and hew his way relentlessly to his objective. He was far too astute as a party leader to attempt to force his will upon Republicans in Congress. He would suggest; he would advise; he would cautiously express an opinion; but he would never dictate. Yet few Presidents have exercised a stronger directive influence upon Congress than Thomas Jefferson during the greater part of his Administration. So long as he was *en rapport* with Nathaniel Macon, Speaker of the House, and with John Randolph, Chairman of the Committee on Ways and Means, he could direct the policies of his party as effectively as the most autocratic dictator. When he had made up his mind that Justice

MONTICELLO, VIRGINIA, THE HOME OF JEFFERSON

Photograph by H. P. Cook, Richmond, Virginia.

Samuel Chase of the Supreme Court should be impeached, he simply penned a note to Joseph Nicholson, who was then managing the impeachment of Judge Pickering, raising the question whether Chase's attack on the principles of the Constitution should go unpunished. "I ask these questions for your consideration," said the President deferentially; "for myself, it is better that I should not interfere." And eventually impeachment proceedings were instituted.

In this memorable first message, the President alluded to a little incident which had occurred in the Mediterranean, "the only exception to this state of general peace with which we have been blessed." Tripoli, one of the Barbary States, had begun depredations upon American commerce and the President had sent a small squadron for protection. A ship of this squadron, the schooner *Enterprise*, had fallen in with a Tripolitan man-of-war and after a fight lasting three hours had forced the corsair to strike her colors. But since war had not been declared and the President's orders were to act only on the defensive, the crew of the *Enterprise* dismantled the captured vessel and let her go. Would Congress, asked the President, take under consideration the advisability of placing our forces

on an equality with those of our adversaries? Neither the President nor his Secretary of the Treasury seems to have been aware that this single cloud on the horizon portended a storm of long duration. Yet within a year it became necessary to delay further reductions in the naval establishment and to impose new taxes to meet the very contingency which the peace-loving President declared most remote. Moreover, the very frigates which he had proposed to lay up in the eastern branch of the Potomac were manned and dispatched to the Mediterranean to bring the Corsairs to terms.

CHAPTER III

THE CORSAIRS OF THE MEDITERRANEAN

SHORTLY after Jefferson's inauguration a visitor presented himself at the Executive Mansion with disquieting news from the Mediterranean. Captain William Bainbridge of the frigate *George Washington* had just returned from a disagreeable mission. He had been commissioned to carry to the Dey of Algiers the annual tribute which the United States had contracted to pay. It appeared that while the frigate lay at anchor under the shore batteries off Algiers, the Dey attempted to requisition her to carry his ambassador and some Turkish passengers to Constantinople. Bainbridge, who felt justly humiliated by his mission, wrathfully refused. An American frigate do errands for this insignificant pirate? He thought not! The Dey pointed to his batteries, however, and remarked, "You pay me tribute, by which you become my slaves; I have, therefore, a right to order you as I

may think proper." The logic of the situation was undeniably on the side of the master of the shore batteries. Rather than have his ship blown to bits, Bainbridge swallowed his wrath and submitted. On the eve of departure, he had to submit to another indignity. The colors of Algiers must fly at the masthead. Again Bainbridge remonstrated and again the Dey looked casually at his guns trained on the frigate. So off the frigate sailed with the Dey's flag fluttering from her masthead, and her captain cursing lustily.

The voyage of fifty-nine days to Constantinople, as Bainbridge recounted it to the President, was not without its amusing incidents. Bainbridge regaled the President with accounts of his Mohammedan passengers, who found much difficulty in keeping their faces to the east while the frigate went about on a new tack. One of the faithful was delegated finally to watch the compass so that the rest might continue their prayers undisturbed. And at Constantinople Bainbridge had curious experiences with the Moslems. He announced his arrival as from the United States of America: he had hauled down the Dey's flag as soon as he was out of reach of the batteries. The port officials were greatly puzzled. What, pray, were the

United States? Bainbridge explained that they were part of the New World which Columbus had discovered. The Grand Seigneur then showed great interest in the stars of the American flag, remarking that, as his own was decorated with one of the heavenly bodies, the coincidence must be a good omen of the future friendly intercourse of the two nations. Bainbridge did his best to turn his unpalatable mission to good account, but he returned home in bitter humiliation. He begged that he might never again be sent to Algiers with tribute unless he was authorized to deliver it from the cannon's mouth.

The President listened sympathetically to Bainbridge's story, for he was not unfamiliar with the ways of the Barbary Corsairs and he had long been of the opinion that tribute only made these pirates bolder and more insufferable. The Congress of the Confederation, however, had followed the policy of the European powers and had paid tribute to secure immunity from attack, and the new Government had simply continued the policy of the old. In spite of his abhorrence of war, Jefferson held that coercion in this instance was on the whole cheaper and more efficacious.

Not long after this interview with Bainbridge,

President Jefferson was warned that the Pasha of Tripoli was worrying the American Consul with importunate demands for more tribute. This African potentate had discovered that his brother, the Dey of Algiers, had made a better bargain with the United States. He announced, therefore, that he must have a new treaty with more tribute or he would declare war. Fearing trouble from this quarter, the President dispatched a squadron of four vessels under Commodore Richard Dale to cruise in the Mediterranean, with orders to protect American commerce. It was the schooner *Enterprise* of this squadron which overpowered the Tripolitan cruiser, as Jefferson recounted in his message to Congress.

The former Pasha of Tripoli had been blessed with three sons, Hasan, Hamet, and Yusuf. Between these royal brothers, however, there seems to have been some incompatibility of temperament, for when their father died (Blessed be Allah!) Yusuf, the youngest, had killed Hasan and had spared Hamet only because he could not lay hands upon him. Yusuf then proclaimed himself Pasha. It was Yusuf, the Pasha with this bloody record, who declared war on the United States, May 10, 1801, by cutting down the flagstaff of the American consulate.

To apply the term war to the naval operations which followed is, however, to lend specious importance to very trivial events. Commodore Dale made the most of his little squadron, it is true, convoying merchantmen through the straits and along the Barbary coast, holding Tripolitan vessels laden with grain in hopeless inactivity off Gibraltar, and blockading the port of Tripoli, now with one frigate and now with another. When the terms of enlistment of Dale's crews expired, another squadron was gradually assembled in the Mediterranean, under the command of Captain Richard V. Morris, for Congress had now authorized the use of the navy for offensive operations, and the Secretary of the Treasury, with many misgivings, had begun to accumulate his Mediterranean Fund to meet contingent expenses.

The blockade of Tripoli seems to have been carelessly conducted by Morris and was finally abandoned. There were undeniably great difficulties in the way of an effective blockade. The coast afforded few good harbors; the heavy northerly winds made navigation both difficult and hazardous; the Tripolitan galleys and gunboats with their shallow draft could stand close in shore and elude the American frigates; and the ordnance on the

American craft was not heavy enough to inflict any serious damage on the fortifications guarding the harbor. Probably these difficulties were not appreciated by the authorities at Washington; at all events, in the spring of 1803 Morris was suspended from his command and subsequently lost his commission.

In the squadron of which Commodore Preble now took command was the *Philadelphia*, a frigate of thirty-six guns, to which Captain Bainbridge, eager to square accounts with the Corsairs, had been assigned. Late in October Bainbridge sighted a Tripolitan vessel standing in shore. He gave chase at once with perhaps more zeal than discretion, following his quarry well in shore in the hope of disabling her before she could make the harbor. Failing to intercept the corsair, he went about and was heading out to sea when the frigate ran on an uncharted reef and stuck fast. A worse predicament could scarcely be imagined. Every device known to Yankee seamen was employed to free the unlucky vessel. "The sails were promptly laid a-back," Bainbridge reported, "and the forward guns run aft, in hopes of backing her off, which not producing the desired effect, orders were given to stave the water in her hold, and pump it out, throw

overboard the lumber and heavy articles of every kind, cut away the anchors . . . and throw over all the guns, except a few for our defence. . . . As a last resource the foremast and main-top-gallant mast were cut away, but without any beneficial effect, and the ship remained a perfect wreck, exposed to the constant fire of the gunboats, which could not be returned."

The officers advised Bainbridge that the situation was becoming intolerable and justified desperate measures. They had been raked by a galling fire for more than four hours; they had tried every means of floating the ship; humiliating as the alternative was, they saw no other course than to strike the colors. All agreed, therefore, that they should flood the magazine, scuttle the ship, and surrender to the Tripolitan small craft which hovered around the doomed frigate like so many vultures.

For the second time off this accursed coast Bainbridge hauled down his colors. The crews of the Tripolitan gunboats swarmed aboard and set about plundering right and left. Swords, epaulets, watches, money, and clothing were stripped from the officers; and if the crew in the forecastle suffered less it was because they had less to lose.

Officers and men were then tumbled into boats and taken ashore, half-naked and humiliated beyond words. Escorted by the exultant rabble, these three hundred luckless Americans were marched to the castle, where the Pasha sat in state. His Highness was in excellent humor. Three hundred Americans! He counted them, each worth hundreds of dollars. Allah was good!

A long, weary bondage awaited the captives. The common seamen were treated like galley-slaves, but the officers were given some consideration through the intercession of the Danish consul. Bainbridge was even allowed to correspond with Commodore Preble, and by means of invisible ink he transmitted many important messages which escaped the watchful eyes of his captors. Depressed by his misfortune — for no one then or afterwards held him responsible for the disaster — Bainbridge had only one thought, and that was revenge. Day and night he brooded over plans of escape and retribution.

As though to make the captive Americans drink the dregs of humiliation, the *Philadelphia* was floated off the reef in a heavy sea and towed safely into the harbor. The scuttling of the vessel had been hastily contrived, and the jubilant Tripolitans

succeeded in stopping her seams before she could fill. A frigate like the *Philadelphia* was a prize the like of which had never been seen in the Pasha's reign. He rubbed his hands in glee and taunted her crew.

The sight of the frigate riding peacefully at anchor in the harbor was torture to poor Bainbridge. In feverish letters he implored Preble to bombard the town, to sink the gunboats in the harbor, to recapture the frigate or to burn her at her moorings — anything to take away the bitterness of humiliation. The latter alternative, indeed, Preble had been revolving in his own mind.

Toward midnight of February 16, 1804, Bainbridge and his companions were aroused by the guns of the fort. They sprang to the window and witnessed the spectacle for which the unhappy captain had prayed long and devoutly. The *Philadelphia* was in flames — red, devouring flames, pouring out of her hold, climbing the rigging, licking her topmasts, forming fantastic columns — devastating, unconquerable flames — the frigate was doomed, doomed! And every now and then one of her guns would explode as though booming out her requiem. Bainbridge was avenged.

How had it all happened?

The inception of this daring feat must be credited to Commodore Preble; the execution fell to young Stephen Decatur, lieutenant in command of the sloop *Enterprise*. The plan was this: to use the *Intrepid*, a captured Tripolitan ketch, as the instrument of destruction, equipping her with combustibles and ammunition, and if possible to burn the *Philadelphia* and other ships in the harbor while raking the Pasha's castle with the frigate's eighteen-pounders. When Decatur mustered his crew on the deck of the *Enterprise* and called for volunteers for this exploit, every man jack stepped forward. Not a man but was spoiling for excitement after months of tedious inactivity; not an American who did not covet a chance to avenge the loss of the *Philadelphia*. But all could not be used, and Decatur finally selected five officers and sixty-two men. On the night of the 3rd of February, the *Intrepid* set sail from Syracuse, accompanied by the brig *Siren*, which was to support the boarding party with her boats and cover their retreat.

Two weeks later, the *Intrepid*, barely distinguishable in the light of a new moon, drifted into the harbor of Tripoli. In the distance lay the unfortunate *Philadelphia*. The little ketch was now within range of the batteries, but she drifted on

unmolested until within a hundred yards of the frigate. Then a hail came across the quiet bay. The pilot replied that he had lost his anchors and asked permission to make fast to the frigate for the night. The Tripolitan lookout grumbled assent. Ropes were then thrown out and the vessels were drawing together, when the cry "Americanas!" went up from the deck of the frigate. In a trice Decatur and his men had scrambled aboard and overpowered the crew.

It was a crucial moment. If Decatur's instructions had not been imperative, he would have thrown prudence to the winds and have tried to cut out the frigate and make off in her. There were those, indeed, who believed that he might have succeeded. But the Commodore's orders were to destroy the frigate. There was no alternative. Combustibles were brought on board, the match applied, and in a few moments the frigate was ablaze. Decatur and his men had barely time to regain the *Intrepid* and to cut her fasts. The whole affair had not taken more than twenty minutes, and no one was killed or even seriously wounded.

Pulling lustily at their sweeps, the crew of the *Intrepid* moved her slowly out of the harbor, in the light of the burning vessel. The guns of the fort

were manned at last and were raining shot and shell wildly over the harbor. The jack-tars on the *Intrepid* seemed oblivious to danger, "commenting upon the beauty of the spray thrown up by the shot between us and the brilliant light of the ship, rather than calculating any danger," wrote Midshipman Morris. Then the starboard guns of the *Philadelphia*, as though instinct with purpose, began to send hot shot into the town. The crew yelled with delight and gave three cheers for the redoubtable old frigate. It was her last action, God bless her! Her cables soon burned, however, and she drifted ashore, there to blow up in one last supreme effort to avenge herself. At the entrance of the harbor the *Intrepid* found the boats of the *Siren*, and three days later both rejoined the squadron.

Thrilling as Decatur's feat was, it brought peace no nearer. The Pasha, infuriated by the loss of the *Philadelphia*, was more exorbitant than ever in his demands. There was nothing for it but to scour the Mediterranean for Tripolitan ships, maintain the blockade so far as weather permitted, and await the opportunity to reduce the city of Tripoli by bombardment. But Tripoli was a hard nut to crack. On the ocean side it was protected

by forts and batteries and the harbor was guarded by a long line of reefs. Through the openings in this natural breakwater, the light-draft native craft could pass in and out to harass the blockading fleet.

It was Commodore Preble's plan to make a carefully concerted attack upon this stronghold as soon as summer weather conditions permitted. For this purpose he had strengthened his squadron at Syracuse by purchasing a number of flat-bottomed gunboats with which he hoped to engage the enemy in the shallow waters about Tripoli while his larger vessels shelled the town and batteries. He arrived off the African coast about the middle of July but encountered adverse weather, so that for several weeks he could accomplish nothing of consequence. Finally, on the 3rd of August, a memorable date in the annals of the American navy, he gave the signal for action.

The new gunboats were deployed in two divisions, one commanded by Decatur, and fully met expectations by capturing two enemy ships in most sanguinary, hand-to-hand fighting. Meantime the main squadron drew close in shore, so close, it is said, that the gunners of shore batteries could not depress their pieces sufficiently to score hits. All these preliminaries were watched with bated

breath by the officers of the old *Philadelphia* from behind their prison bars.

The Pasha had viewed the approach of the American fleet with utter disdain. He promised the spectators who lined the terraces that they would witness some rare sport; they should see his gunboats put the enemy to flight. But as the American gunners began to get the range and pour shot into the town, and the *Constitution* with her heavy ordnance passed and repassed, delivering broadsides within three cables' length of the batteries, the Pasha's nerves were shattered and he fled precipitately to his bomb-proof shelter. No doubt the damage inflicted by this bombardment was very considerable, but Tripoli still defied the enemy. Four times within the next four weeks Preble repeated these assaults, pausing after each bombardment to ascertain what terms the Pasha had to offer; but the wily Yusuf was obdurate, knowing well enough that, if he waited, the gods of wind and storm would come to his aid and disperse the enemy's fleet.

It was after the fifth ineffectual assault that Preble determined on a desperate stroke. He resolved to fit out a fireship and to send her into the very jaws of death, hoping to destroy the Tripolitan

gunboats and at the same time to damage the castle and the town. He chose for this perilous enterprise the old *Intrepid* which had served her captors so well, and out of many volunteers he gave the command to Captain Richard Somers and Lieutenant Henry Wadsworth. The little ketch was loaded with a hundred barrels of gunpowder and a large quantity of combustibles and made ready for a quick run by the batteries into the harbor. Certain death it seemed to sail this engine of destruction past the outlying reefs into the midst of the Tripolitan gunboats; but every precaution was taken to provide for the escape of the crew. Two rowboats were taken along and in these frail craft they believed they could embark, when once the torch had been applied, and in the ensuing confusion return to the squadron.

Somers selected his crew of ten men with care, and at the last moment consented to let Lieutenant Joseph Israel join the perilous expedition. On the night of the 4th of September, the *Intrepid* sailed off in the darkness toward the mouth of the harbor. Anxious eyes followed the little vessel, trying to pierce the blackness that soon enveloped her. As she neared the harbor the shore batteries opened fire; and suddenly a blinding flash and a

terrific explosion told the fate which overtook her. Fragments of wreckage rose high in the air, the fearful concussion was felt by every boat in the squadron, and then darkness and awful silence enfolded the dead and the dying. Two days later the bodies of the heroic thirteen, mangled beyond recognition, were cast up by the sea. Even Captain Bainbridge, gazing sorrowfully upon his dead comrades could not recognize their features. Just what caused the explosion will never be known. Preble always believed that Tripolitans had attempted to board the *Intrepid* and that Somers had deliberately fired the powder magazine rather than surrender. Be that as it may, no one doubts that the crew were prepared to follow their commander to self-destruction if necessary. In deep gloom, the squadron returned to Syracuse, leaving a few vessels to maintain a fitful blockade off the hated and menacing coast.

Far away from the sound of Commodore Preble's guns a strange, almost farcical, intervention in the Tripolitan War was preparing. The scene shifts to the desert on the east, where William Eaton, consul at Tunis, becomes the center of interest. Since the very beginning of the war, this energetic

and enterprising Connecticut Yankee had taken a lively interest in the fortunes of Hamet Karamanli, the legitimate heir to the throne, who had been driven into exile by Yusuf the pretender. Eaton loved intrigue as Preble gloried in war. Why not assist Hamet to recover his throne? Why not, in frontier parlance, start a back-fire that would make Tripoli too hot for Yusuf? He laid his plans before his superiors at Washington, who, while not altogether convinced of his competence to play the king-maker, were persuaded to make him navy agent, subject to the orders of the commander of the American squadron in the Mediterranean. Commodore Samuel Barron, who succeeded Preble, was instructed to avail himself of the coöperation of the ex-Pasha of Tripoli if he deemed it prudent. In the fall of 1804 Barron dispatched Eaton in the *Argus*, Captain Isaac Hull commander, to Alexandria to find Hamet and to assure him of the coöperation of the American squadron in the reconquest of his kingdom. Eaton entered thus upon the coveted rôle: twenty centuries looked down upon him as they had upon Napoleon.

A mere outline of what followed reads like the scenario of an *opera bouffe*. Eaton ransacked Alexandria in search of Hamet the unfortunate but

failed to find the truant. Then acting on a rumor that Hamet had departed up the Nile to join the Mamelukes, who were enjoying one of their seasonal rebellions against constituted authority, Eaton plunged into the desert and finally brought back the astonished and somewhat reluctant heir to the throne. With prodigious energy Eaton then organized an expedition which was to march overland toward Derne, meet the squadron at the Bay of Bomba, and descend *vi et armis* upon the unsuspecting pretender at Tripoli. He even made a covenant with Hamet promising with altogether unwarranted explicitness that the United States would use "their utmost exertions" to reëstablish him in his sovereignty. Eaton was to be "general and commander-in-chief of the land forces." This aggressive Yankee alarmed Hamet, who clearly did not want his sovereignty badly enough to fight for it.

The international army which the American generalissimo mustered was a motley array — twenty-five cannoneers of uncertain nationality, thirty-eight Greeks, Hamet and his ninety followers, and a party of Arabian horsemen and camel-drivers — all told about four hundred men. The story of their march across the desert is a modern *Anabasis*. When the Arabs were not

quarreling among themselves and plundering the rest of the caravan, they were demanding more pay. Rebuffed they would disappear with their camels into the fastnesses of the desert, only to reappear unexpectedly with new importunities. Between Hamet, who was in constant terror of his life and quite ready to abandon the expedition, and these mutinous Arabs, Eaton was in a position to appreciate the vicissitudes of Xenophon and his Ten Thousand. No ordinary person, indeed, could have surmounted all obstacles and brought his balky forces within sight of Derne.

Supported by the American fleet which had rendezvoused as agreed in the Bay of Bomba, the four hundred advanced upon the city. Again the Arab contingent would have made off into the desert but for the promise of more money. Hamet was torn by conflicting emotions, in which a desire to retreat was uppermost. Eaton was, as ever, indefatigable and indomitable. When his forces were faltering at the crucial moment, he boldly ordered an assault and carried the defenses of the city. The guns of the ships in the harbor completed the discomfiture of the enemy, and the international army took possession of the citadel.

Derne won, however, had to be resolutely defended. Twice within the next four weeks, Tripolitan forces were beaten back only with the greatest difficulty. The day after the second assault (June 10th) the frigate *Constellation* arrived off Derne with orders which rang down the curtain on this interlude in the Tripolitan War. Derne was to be evacuated! Peace had been concluded!

Just what considerations moved the Administration to conclude peace at a moment when the largest and most powerful American fleet ever placed under a single command was assembling in the Mediterranean and when the land expedition was approaching its objective, has never been adequately explained. Had the President's belligerent spirit oozed away as the punitive expeditions against Tripoli lost their merely defensive character and took on the proportions of offensive naval operations? Had the Administration become alarmed at the drain upon the treasury? Or did the President wish to have his hands free to deal with those depredations upon American commerce committed by British and French cruisers which were becoming far more frequent and serious than ever the attacks of the Corsairs of the Mediterranean

had been? Certain it is that overtures of peace from the Pasha were welcomed by the very naval commanders who had been most eager to wrest a victory from the Corsairs. Perhaps they, too, were wearied by prolonged war with an elusive foe off a treacherous coast.

How little prepared the Administration was to sustain a prolonged expedition by land against Tripoli to put Hamet on his throne, appears in the instructions which Commodore Barron carried to the Mediterranean. If he could use Eaton and Hamet to make a diversion, well and good; but he was at the same time to assist Colonel Tobias Lear, American Consul-General at Algiers, in negotiating terms of peace, if the Pasha showed a conciliatory spirit. The Secretary of State calculated that the moment had arrived when peace could probably be secured "without any price and pecuniary compensation whatever."

Such expectations proved quite unwarranted. The Pasha was ready for peace, but he still had his price. Poor Bainbridge, writing from captivity, assured Barron that the Pasha would never let his prisoners go without a ransom. Nevertheless, Commodore Barron determined to meet the overtures which the Pasha had made through the Danish

consul at Tripoli. On the 24th of May he put the frigate *Essex* at the disposal of Lear, who crossed to Tripoli and opened direct negotiations.

The treaty which Lear concluded on June 4, 1805, was an inglorious document. It purchased peace, it is true, and the release of some three hundred sad and woe-begone American sailors. But because the Pasha held three hundred prisoners, and the United States only a paltry hundred, the Pasha was to receive sixty thousand dollars. Derne was to be evacuated and no further aid was to be given to rebellious subjects. The United States was to endeavor to persuade Hamet to withdraw from the soil of Tripoli — no very difficult matter — while the Pasha on his part was to restore Hamet's family to him — at some future time. Nothing was said about tribute; but it was understood that according to ancient custom each newly appointed consul should carry to the Pasha a present not exceeding six thousand dollars.

The Tripolitan War did not end in a blaze of glory for the United States. It had been waged in the spirit of "not a cent for tribute"; it was concluded with a thinly veiled payment for peace; and, worst of all, it did not prevent further trouble with the Barbary States. The war had been prosecuted

with vigor under Preble; it had languished under Barron; and it ended just when the naval forces were adequate to the task. Yet, from another point of view, Preble, Decatur, Somers, and their comrades had not fought in vain. They had created imperishable traditions for the American navy; they had established a morale in the service; and they had trained a group of young officers who were to give a good account of themselves when their foes should be not shifty Tripolitans but sturdy Britons.

CHAPTER IV

THE SHADOW OF THE FIRST CONSUL

BAINBRIDGE in forlorn captivity at Tripoli, Preble and Barron keeping anxious watch off the stormy coast of Africa, Eaton marching through the wind-swept desert, are picturesque figures that arrest the attention of the historian; but they seemed like shadowy actors in a remote drama to the American at home, absorbed in the humdrum activities of trade and commerce. Through all these dreary years of intermittent war, other matters engrossed the President and Congress and caught the attention of the public. Not the rapacious Pasha of Tripoli but the First Consul of France held the center of the stage. At the same time that news arrived of the encounter of the *Enterprise* with the Corsairs came also the confirmation of rumors current all winter in Europe. Bonaparte had secured from Spain the retrocession of the province of Louisiana. From every point of view, as the

President remarked, the transfer of this vast province to a new master was "an inauspicious circumstance." The shadow of the Corsican, already a menace to the peace of Europe, fell across the seas.

A strange chain of circumstances linked Bonaparte with the New World. When he became master of France by the *coup d'état* of the 18th Brumaire (November 9, 1799), he fell heir to many policies which the republic had inherited from the old régime. Frenchmen had never ceased to lament the loss of colonial possessions in North America. From time to time the hope of reviving the colonial empire sprang up in the hearts of the rulers of France. It was this hope that had inspired Genet's mission to the United States and more than one intrigue among the pioneers of the Mississippi Valley, during Washington's second Administration. The connecting link between the old régime and the new was the statesman Talleyrand. He had gone into exile in America when the French Revolution entered upon its last frantic phase and had brought back to France the plan and purpose which gave consistency to his diplomacy in the office of Minister of Foreign Affairs, first under the Directory, then under the First Consul. Had Talleyrand alone nursed this plan, it would

have had little significance in history; but it was eagerly taken up by a group of Frenchmen who believed that France, having set her house in order and secured peace in Europe, should now strive for orderly commercial development. The road to prosperity, they believed, lay through the acquisition of colonial possessions. The recovery of the province of Louisiana was an integral part of their programme.

While the Directory was still in power and Bonaparte was pursuing his ill-fated expedition in Egypt, Talleyrand had tried to persuade the Spanish Court to cede Louisiana and the Floridas. The only way for Spain to put a limit to the ambitions of the Americans, he had argued speciously, was to shut them up within their natural limits. Only so could Spain preserve the rest of her immense domain. But since Spain was confessedly unequal to the task, why not let France shoulder the responsibility? "The French Republic, mistress of these two provinces, will be a wall of brass forever impenetrable to the combined efforts of England and America," he assured the Spaniards. But the time was not ripe.

Such, then, was the policy which Bonaparte inherited when he became First Consul and master

of the destinies of his adopted country. A dazzling future opened before him. Within a year he had pacified Europe, crushing the armies of Austria by a succession of brilliant victories, and laying prostrate the petty states of the Italian peninsula. Peace with England was also in sight. Six weeks after his victory at Marengo, Bonaparte sent a special courier to Spain to demand — the word is hardly too strong — the retrocession of Louisiana.

It was an odd whim of Fate that left the destiny of half the American continent to Don Carlos IV, whom Henry Adams calls "a kind of Spanish George III" — virtuous, to be sure, but heavy, obtuse, inconsequential, and incompetent. With incredible fatuousness the King gave his consent to a bargain by which he was to yield Louisiana in return for Tuscany or other Italian provinces which Bonaparte had just overrun with his armies. "Congratulate me," cried Don Carlos to his Prime Minister, his eyes sparkling, "on this brilliant beginning of Bonaparte's relations with Spain. The Prince-presumptive of Parma, my son-in-law and nephew, a Bourbon, is invited by France to reign, on the delightful banks of the Arno, over a people who once spread their commerce through the known world, and who were the controlling

power of Italy, — a people mild, civilized, full of humanity; the classical land of science and art." A few war-ridden Italian provinces for an imperial domain that stretched from the Gulf of Mexico to Lake Superior and that extended westward no one knew how far!

The bargain was closed by a preliminary treaty signed at San Ildefonso on October 1, 1800. Just one year later to a day, the preliminaries of the Peace of Amiens were signed, removing the menace of England on the seas. The First Consul was now free to pursue his colonial policy, and the destiny of the Mississippi Valley hung in the balance. Between the First Consul and his goal, however, loomed up the gigantic figure of Toussaint L'Ouverture, a full-blooded negro, who had made himself master of Santo Domingo and had thus planted himself squarely in the sea-road to Louisiana. The story of this "gilded African," as Bonaparte contemptuously dubbed him, cannot be told in these pages, because it involves no less a theme than the history of the French Revolution in this island, once the most thriving among the colonial possessions of France in the West Indies. The great plantations of French Santo Domingo (the western part of the island) had supplied half of Europe with

sugar, coffee, and cotton; three-fourths of the imports from French-American colonies were shipped from Santo Domingo. As the result of class struggles between whites and mulattoes for political power, the most terrific slave insurrection in the Western Hemisphere had deluged the island in blood. Political convulsions followed which wrecked the prosperity of the island. Out of this chaos emerged the one man who seemed able to restore a semblance of order — the Napoleon of Santo Domingo, whose character, thinks Henry Adams, had a curious resemblance to that of the Corsican. The negro was, however, a ferocious brute without the redeeming qualities of the Corsican, though, as a leader of his race, his intelligence cannot be denied. Though professing allegiance to the French Republic, Toussaint was driven by circumstances toward independence. While his Corsican counterpart was executing his *coup d'état* and pacifying Europe, he threw off the mask, imprisoned the agent of the French Directory, seized the Spanish part of the island, and proclaimed a new constitution for Santo Domingo, assuming all power for himself for life and the right of naming his successor. The negro defied the Corsican.

The First Consul was now prepared to accept the

challenge. Santo Domingo must be recovered and restored to its former prosperity — even if slavery had to be reëstablished — before Louisiana could be made the center of colonial empire in the West. He summoned Leclerc, a general of excellent reputation and husband of his beautiful sister Pauline, and gave to him the command of an immense expedition which was already preparing at Brest. In the latter part of November, Leclerc set sail with a large fleet bearing an army of ten thousand men and on January 29, 1802, arrived off the eastern cape of Santo Domingo. A legend says that Toussaint looking down on the huge armada exclaimed, "We must perish. All France is coming to Santo Domingo. It has been deceived; it comes to take vengeance and enslave the blacks." The negro leader made a formidable resistance, nevertheless, annihilating one French army and seriously endangering the expedition. But he was betrayed by his generals, lured within the French lines, made prisoner, and finally sent to France. He was incarcerated in a French fortress in the Jura Mountains and there perished miserably in 1803.

The significance of these events in the French West Indies was not lost upon President Jefferson. The conquest of Santo Domingo was the prelude to

the occupation of Louisiana. It would be only a change of European proprietors, of absentee landlords, to be sure; but there was a world of difference between France, bent upon acquiring a colonial empire and quiescent Spain, resting on her past achievements. The difference was personified by Bonaparte and Don Carlos. The sovereignty of the lower Mississippi country could never be a matter of indifference to those settlers of Tennessee, Kentucky, and Ohio who in the year 1799 sent down the Mississippi in barges, keel-boats, and flatboats one hundred and twenty thousand pounds of tobacco, ten thousand barrels of flour, twenty-two thousand pounds of hemp, five hundred barrels of cider, and as many more of whiskey, for transshipment and export. The right of navigation of the Mississippi was a diplomatic problem bequeathed by the Confederation. The treaty with Spain in 1795 had not solved the question, though it had established a *modus vivendi*. Spain had conceded to Americans the so-called right of deposit for three years — that is, the right to deposit goods at New Orleans free of duty and to transship them to ocean-going vessels; and the concession, though never definitely renewed, was tacitly continued. No; the people of the

trans-Alleghany country could not remain silent and unprotesting witnesses to the retrocession of Louisiana.

Nor was Jefferson's interest in the Mississippi problem of recent origin. Ten years earlier as Secretary of State, while England and Spain seemed about to come to blows over the Nootka Sound affair, he had approached both France and Spain to see whether the United States might not acquire the island of New Orleans or at least a port near the mouth of the river "with a circum-adjacent territory, sufficient for its support, well-defined, and extraterritorial to Spain." In case of war, England would in all probability conquer Spanish Louisiana. How much better for Spain to cede territory on the eastern side of the Mississippi to a safe neighbor like the United States and thereby make sure of her possessions on the western waters of that river. It was "not our interest," wrote Mr. Jefferson, "to cross the Mississippi for ages!"

It was, then, a revival of an earlier idea when President Jefferson, officially through Robert R. Livingston, Minister to France, and unofficially through a French gentleman, Dupont de Nemours, sought to impress upon the First Consul the unwisdom of his taking possession of Louisiana, without

ceding to the United States at least New Orleans and the Floridas as a "palliation." Even so, France would become an object of suspicion, a neighbor with whom Americans were bound to quarrel.

Undeterred by this naïve threat, doubtless considering its source, the First Consul pressed Don Carlos for the delivery of Louisiana. The King procrastinated but at length gave his promise on condition that France should pledge herself not to alienate the province. Of course, replied the obliging Talleyrand. The King's wishes were identical with the intentions of the French government. France would never alienate Louisiana. The First Consul pledged his word. On October 15, 1802, Don Carlos signed the order that delivered Louisiana to France.

While the President was anxiously awaiting the results of his diplomacy, news came from Santo Domingo that Leclerc and his army had triumphed over Toussaint and his faithless generals, only to succumb to a far more insidious foe. Yellow fever had appeared in the summer of 1802 and had swept away the second army dispatched by Bonaparte to take the place of the first which had been consumed in the conquest of the island. Twenty-four thousand men had been sacrificed at the very

threshold of colonial empire, and the skies of Europe were not so clear as they had been. And then came the news of Leclerc's death (November 2, 1802). Exhausted by incessant worry, he too had succumbed to the pestilence; and with him, as events proved, passed Bonaparte's dream of colonial empire in the New World.

Almost at the same time with these tidings a report reached the settlers of Kentucky and Tennessee that the Spanish intendant at New Orleans had suspended the right of deposit. The Mississippi was therefore closed to western commerce. Here was the hand of the Corsican.[1] Now they knew what they had to expect from France. Why not seize the opportunity and strike before the French legions occupied the country? The Spanish garrisons were weak; a few hundred resolute frontiersmen would speedily overpower them.

Convinced that he must resort to stiffer measures if he would not be hurried into hostilities, President Jefferson appointed James Monroe as Minister Plenipotentiary and Envoy Extraordinary to France and Spain. He was to act with Robert

[1] It is now clear enough that Bonaparte was not directly responsible for this act of the Spanish intendant. See Channing, *History of the United States*, vol. IV, p. 312, and Note, 326–327.

Livingston at Paris and with Charles Pinckney, Minister to Spain, "in enlarging and more effectually securing our rights and interests in the river Mississippi and in the territories eastward thereof" — whatever these vague terms might mean. The President evidently read much into them, for he assured Monroe that on the event of his mission depended the future destinies of the Republic.

Two months passed before Monroe sailed with his instructions. He had ample time to study them, for he was thirty days in reaching the coast of France. The first aim of the envoys was to procure New Orleans and the Floridas, bidding as high as ten million dollars if necessary. Failing in this object, they were then to secure the right of deposit and such other desirable concessions as they could. To secure New Orleans, they might even offer to guarantee the integrity of Spanish possessions on the west bank of the Mississippi. Throughout the instructions ran the assumption that the Floridas had either passed with Louisiana into the hands of France or had since been acquired.

While the packet bearing Monroe was buffeting stormy seas, the policy of Bonaparte underwent a transformation — an abrupt transformation it seemed to Livingston. On the 12th of March

the American Minister witnessed an extraordinary scene in Madame Bonaparte's drawing-room. Bonaparte and Lord Whitworth, the British Ambassador, were in conversation, when the First Consul remarked, "I find, my Lord, your nation want war again." "No, Sir," replied the Ambassador, "we are very desirous of peace." "I must either have Malta or war," snapped Bonaparte. The amazed onlookers soon spread the rumor that Europe was again to be plunged into war; but, viewed in the light of subsequent events, this incident had even greater significance; it marked the end of Bonaparte's colonial scheme. Though the motives for this change of front will always be a matter of conjecture, they are somewhat clarified by the failure of the Santo Domingo expedition. Leclerc was dead; the negroes were again in control; the industries of the island were ruined; Rochambeau, Leclerc's successor, was clamoring for thirty-five thousand more men to reconquer the island; the expense was alarming — and how meager the returns for this colonial venture! Without Santo Domingo, Louisiana would be of little use; and to restore prosperity to the West India island — even granting that its immediate conquest were possible — would demand many years and large

disbursements. The path to glory did not lie in this direction. In Europe, as Henry Adams observes, "war could be made to support war; in Santo Domingo peace alone could but slowly repair some part of this frightful waste."

There may well have been other reasons for Bonaparte's change of front. If he read between the lines of a memoir which Pontalba, a wealthy and well-informed resident of Louisiana, sent to him, he must have realized that this province, too, while it might become an inexhaustible source of wealth for France, might not be easy to hold. There was here, it is true, no Toussaint L'Ouverture to lead the blacks in insurrection; but there was a white menace from the north which was far more serious. These Kentuckians, said Pontalba trenchantly, must be watched, cajoled, and brought constantly under French influence through agents. There were men among them who thought of Louisiana "as the highroad to the conquest of Mexico." Twenty or thirty thousand of these westerners on flatboats could come down the river and sweep everything before them. To be sure, they were an undisciplined horde with slender military equipment — a striking contrast to the French legions; but, added the Frenchman, "a

great deal of skill in shooting, the habit of being in the woods and of enduring fatigue — this is what makes up for every deficiency."

And if Bonaparte had ever read a remarkable report of the Spanish Governor Carondelet, he must have divined that there was something elemental and irresistible in this down-the-river-pressure of the people of the West. "A carbine and a little maize in a sack are enough for an American to wander about in the forests alone for a whole month. With his carbine, he kills the wild cattle and deer for food and defends himself from the savages. The maize dampened serves him in lieu of bread. . . . The cold does not affright him. When a family tires of one location, it moves to another, and there it settles with the same ease. Thus in about eight years the settlement of Cumberland has been formed, which is now about to be created into a state."

On Easter Sunday, 1803, Bonaparte revealed his purpose, which had doubtless been slowly maturing, to two of his ministers, one of whom, Barbé Marbois, was attached to the United States through residence, his devotion to republican principles, and marriage to an American wife. The First Consul proposed to cede Louisiana to the United

States: he considered the colony as entirely lost. What did they think of the proposal? Marbois, with an eye to the needs of the Treasury of which he was the head, favored the sale of the province; and next day he was directed to interview Livingston at once. Before he could do so, Talleyrand, perhaps surmising in his crafty way the drift of the First Consul's thoughts, startled Livingston by asking what the United States would give for the whole of Louisiana. Livingston, who was in truth hard of hearing, could not believe his ears. For months he had talked, written, and argued in vain for a bit of territory near the mouth of the Mississippi, and here was an imperial domain tossed into his lap, as it were. Livingston recovered from his surprise sufficiently to name a trifling sum which Talleyrand declared too low. Would Mr. Livingston think it over? He, Talleyrand, really did not speak from authority. The idea had struck him, that was all.

Some days later in a chance conversation with Marbois, Livingston spoke of his extraordinary interview with Talleyrand. Marbois intimated that he was not ignorant of the affair and invited Livingston to a further conversation. Although Monroe had already arrived in Paris and was now

apprised of this sudden turn of affairs, Livingston went alone to the Treasury Office and there in conversation, which was prolonged until midnight, he fenced with Marbois over a fair price for Louisiana. The First Consul, said Marbois, demanded one hundred million francs. Livingston demurred at this huge sum. The United States did not want Louisiana but was willing to give ten million dollars for New Orleans and the Floridas. What would the United States give then? asked Marbois. Livingston replied that he would have to confer with Monroe. Finally Marbois suggested that if they would name sixty million francs (less than $12,000,000) and assume claims which Americans had against the French Treasury for twenty million more, he would take the offer under advisement. Livingston would not commit himself, again insisting that he must consult Monroe.

So important did this interview seem to Livingston that he returned to his apartment and wrote a long report to Madison without waiting to confer with Monroe. It was three o'clock in the morning when he was done. "We shall do all we can to cheapen the purchase," he wrote, "but my present sentiment is that we shall buy."

History does not record what Monroe said when

his colleague revealed these midnight secrets. But in the prolonged negotiations which followed Monroe, though ill, took his part, and in the end, on April 30, 1803, set his hand to the treaty which ceded Louisiana to the United States on the terms set by Marbois. In two conventions bearing the same date, the commissioners bound the United States to pay directly to France the sum of sixty million francs ($11,250,000) and to assume debts owed by France to American citizens, estimated at not more than twenty million francs ($3,750,000). Tradition says that after Marbois, Monroe, and Livingston had signed their names, Livingston remarked: "We have lived long, but this is the noblest work of our lives. . . . From this day the United States take their place among the powers of the first rank."

CHAPTER V

IN PURSUIT OF THE FLORIDAS

THE purchase of Louisiana was a diplomatic triumph of the first magnitude. No American negotiators have ever acquired so much for so little; yet, oddly enough, neither Livingston nor Monroe had the slightest notion of the vast extent of the domain which they had purchased. They had bought Louisiana "with the same extent that it is now in the hands of Spain, and that it had when France possessed it, and such as it should be after the treaties subsequently entered into between Spain and other States," but what its actual boundaries were they did not know. Considerably disturbed that the treaty contained no definition of boundaries, Livingston sought information from the enigmatical Talleyrand. "What are the eastern bounds of Louisiana?" he asked. "I do not know," replied Talleyrand; "you must take it as we received it." "But what did you mean to take?" urged Livingston

somewhat naïvely. "I do not know," was the answer. "Then you mean that we shall construe it in our own way?" "I can give you no direction," said the astute Frenchman. "You have made a noble bargain for yourselves, and I suppose you will make the most of it." And with these vague assurances Livingston had to be satisfied.

The first impressions of Jefferson were not much more definite, for, while he believed that the acquired territory more than doubled the area of the United States, he could only describe it as including all the waters of the Missouri and the Mississippi. He started at once, however, to collect information about Louisiana. He prepared a list of queries which he sent to reputable persons living in or near New Orleans. The task was one in which he delighted: to accumulate and diffuse information — a truly democratic mission — gave him more real pleasure than to reign in the Executive Mansion. His interest in the trans-Mississippi country, indeed, was not of recent birth; he had nursed for years an insatiable curiosity about the source and course of the Missouri; and in this very year he had commissioned his secretary, Meriwether Lewis, to explore the great river and its tributaries, to ascertain if they afforded a

direct and practicable water communication across the continent.

The outcome of the President's questionnaire was a report submitted to Congress in the fall of 1803, which contained much interesting information and some entertaining misinformation. The statistical matter we may put to one side, as contemporary readers doubtless did; certain impressions are worth recording. New Orleans, the first and immediate object of negotiations, contained, it would appear, only a small part of the population of the province, which numbered some twenty or more rural districts. On the river above the city were the plantations of the so-called Upper Coast, inhabited mostly by slaves whose Creole masters lived in town; then, as one journeyed up-stream appeared the first and second German Coasts, where dwelt the descendants of those Germans who had been brought to the province by John Law's Mississippi Bubble, an industrious folk making their livelihood as purveyors to the city. Every Friday night they loaded their small craft with produce and held market next day on the river front at New Orleans, adding another touch to the picturesque groups which frequented the levees. Above the German Coasts were the first and second

Acadian Coasts, populated by the numerous progeny of those unhappy refugees who were expelled from Nova Scotia in 1755. Acadian settlements were scattered also along the backwaters west of the great river: Bayou Lafourche was lined with farms which were already producing cotton; near Bayou Têche and Bayou Vermilion — the Attakapas country — were cattle ranges; and to the north was the richer grazing country known as Opelousas.

Passing beyond the Iberville River, which was indeed no river at all but only an overflow of the Mississippi, the traveler up-stream saw on his right hand "the government of Baton Rouge" with its scattered settlements and mixed population of French, Spanish, and Anglo-Americans; and still farther on, the Spanish parish of West Feliciana, accounted a part of West Florida and described by President Jefferson as the garden of the cotton-growing region. Beyond this point the President's description of Louisiana became less confident, as reliable sources of information failed him. His credulity, however, led him to make one amazing statement, which provoked the ridicule of his political opponents, always ready to pounce upon the slips of this philosopher-president. "One extraordinary fact relative to salt must not be omitted,"

he wrote in all seriousness. "There exists, about one thousand miles up the Missouri, and not far from that river, a salt mountain! The existence of such a mountain might well be questioned, were it not for the testimony of several respectable and enterprising traders who have visited it, and who have exhibited several bushels of the salt to the curiosity of the people of St. Louis, where some of it still remains. A specimen of the salt has been sent to Marietta. This mountain is said to be 180 miles long and 45 in width, composed of solid rock salt, without any trees or even shrubs on it." One Federalist wit insisted that this salt mountain must be Lot's wife; another sent an epigram to the *United States Gazette* which ran as follows:

> Herostratus of old, to eternalize his name
> Sat the temple of Diana all in a flame;
> But Jefferson lately of Bonaparte bought,
> To pickle his fame, a mountain of salt.

Jefferson was too much of a philosopher to be disturbed by such gibes; but he did have certain constitutional doubts concerning the treaty. How, as a strict constructionist, was he to defend the purchase of territory outside the limits of the United States, when the Constitution did not specifically

grant such power to the Federal Government? He had fought the good fight of the year 1800 to oust Federalist administrators who by a liberal interpretation were making waste paper of the Constitution. Consistency demanded either that he should abandon the treaty or that he should ask for the powers which had been denied to the Federal Government. He chose the latter course and submitted to his Cabinet and to his followers in Congress a draft of an amendment to the Constitution conferring the desired powers. To his dismay they treated his proposal with indifference, not to say coldness. He pressed his point, redrafted his amendment, and urged its consideration once again. Meantime letters from Livingston and Monroe warned him that delay was hazardous; the First Consul might change his mind, as he was wont to do on slight provocation. Privately Jefferson was deeply chagrined, but he dared not risk the loss of Louisiana. With what grace he could summon, he acquiesced in the advice of his Virginia friends who urged him to let events take their course and to drop the amendment, but he continued to believe that such a course if persisted in would make blank paper of the Constitution. He could only trust, as he said in a letter, "that the

good sense of the country will correct the evil of construction when it shall produce its ill effects."

The debates on the treaty in Congress make interesting reading for those who delight in legal subtleties, for many nice questions of constitutional law were involved. Even granting that territory could be acquired, there was the further question whether the treaty-making power was competent irrespective of the House of Representatives. And what, pray, was meant by incorporating this new province in the Union? Was Louisiana to be admitted into the Union as a State by President and Senate? Or was it to be governed as a dependency? And how could the special privileges given to Spanish and French ships in the port of New Orleans be reconciled with that provision of the Constitution which expressly forbade any preference to be given, by any regulation of commerce or revenue, to the ports of one State over those of another? The exigencies of politics played havoc with consistency, so that Republicans supported the ratification of the treaty with erstwhile Federalist arguments, while Federalists used the old arguments of the Republicans. Yet the Senate advised the ratification by a decisive vote and with surprising promptness; and Congress passed a provisional act authorizing the

President to take over and govern the territory of Louisiana.

The vast province which Napoleon had tossed so carelessly into the lap of the young Western Republic was, strangely enough, not yet formally in his possession. The expeditionary force under General Victor which was to have occupied Louisiana had never left port. M. Pierre Clément Laussat, however, who was to have accompanied the expedition to assume the duties of prefect in the province, had sailed alone in January, 1803, to receive the province from the Spanish authorities. If this lonely Frenchman on mission possessed the imagination of his race, he must have had some emotional thrills as he reflected that he was following the sea trail of La Salle and Iberville through the warm waters of the Gulf of Mexico. He could not have entered the Great River and breasted its yellow current for a hundred miles, without seeing in his mind's eye those phantom figures of French and Spanish adventurers who had voyaged up and down its turbid waters in quest of gold or of distant Cathay. As his vessel dropped anchor opposite the town which Bienville had founded, Laussat must have felt that in some degree he was "heir of

all the ages"; yet he was in fact face to face with conditions which, whatever their historic antecedents, were neither French nor Spanish. On the water front of New Orleans, he counted "forty-five Anglo-American ships to ten French." Subsequent experiences deepened this first impression: it was not Spanish nor French influence which had made this port important but those "three hundred thousand planters who in twenty years have swarmed over the eastern plains of the Mississippi and have cultivated them, and who have no other outlet than this river and no other port than New Orleans."

The outward aspect of the city, however, was certainly not American. From the masthead of his vessel Laussat might have seen over a thousand dwellings of varied architecture: houses of adobe, houses of brick, houses of stucco; some with bright colors, others with the harmonious half tones produced by sun and rain. No American artisans constructed the picturesque balconies, the verandas, and belvederes which suggested the semi-tropical existence that Nature forced upon these city dwellers for more than half the year. No American craftsmen wrought the artistic ironwork of balconies, gateways, and window gratings. Here was an

atmosphere which suggested the Old World rather than the New. The streets which ran at right angles were reminiscent of the old régime: Condé, Conti, Dauphiné, St. Louis, Chartres, Bourbon, Orleans — all these names were to be found within the earthen rampart which formed the defense of the city.

The inhabitants were a strange mixture: Spanish, French, American, black, quadroon, and Creole. No adequate definition has ever been formulated for "Creole," but no one familiar with the type could fail to distinguish this caste from those descended from the first French settlers or from the Acadians. A keen observer like Laussat discerned speedily that the Creole had little place in the commercial life of the city. He was your landed proprietor, who owned some of the choicest parts of the city and its growing suburbs, and whose plantations lined both banks of the Mississippi within easy reach from the city. At the opposite end of the social scale were the quadroons — the demimonde of this little capital — and the negro slaves. Between these extremes were the French and, in ever-growing numbers, the Americans who plied every trade, while the Spaniards constituted the governing class.

Deliberately, in the course of time, as befitted a Spanish gentleman and officer, the Marquis de Casa Calvo, resplendent with regalia, arrived from Havana to act with Governor Don Juan Manuel de Salcedo in transferring the province. A season of gayety followed in which the Spaniards did their best to conceal any chagrin they may have felt at the relinquishment — happily, it might not be termed the surrender — of Louisiana. And finally on the 30th of November, Governor Salcedo delivered the keys of the city to Laussat, in the hall of the Cabildo, while Marquis de Casa Calvo from the balcony absolved the people in Place d'Armes below from their allegiance to his master, the King of Spain.

For the brief term of twenty days Louisiana was again a province of France. Within that time Laussat bestirred himself to gallicize the colony, so far as forms could do so. He replaced the cabildo or hereditary council by a municipal council; he restored the civil code; he appointed French officers to civil and military posts. And all this he did in the full consciousness that American commissioners were already on their way to receive from him in turn the province which his wayward master had sold. On December 20, 1803, young William

Claiborne, Governor of the Mississippi Territory, and General James Wilkinson, with a few companies of soldiers, entered and received from Laussat the keys of the city and the formal surrender of Lower Louisiana. On the Place d'Armes, promptly at noon, the tricolor was hauled down and the American Stars and Stripes took its place. Louisiana had been transferred for the sixth and last time. But what were the metes and bounds of this province which had been so often bought and sold? What had Laussat been instructed to take and give? What, in short, was Louisiana?

The elation which Livingston and Monroe felt at acquiring unexpectedly a vast territory beyond the Mississippi soon gave way to a disquieting reflection. They had been instructed to offer ten million dollars for New Orleans and the Floridas: they had pledged fifteen millions for Louisiana without the Floridas. And they knew that it was precisely West Florida, with the eastern bank of the Mississippi and the Gulf littoral, that was most ardently desired by their countrymen of the West. But might not Louisiana include West Florida? Had Talleyrand not professed ignorance of the eastern boundary? And had he not intimated that the

Americans would make the most of their bargain? Within a month Livingston had convinced himself that the United States could rightfully claim West Florida to the Perdido River, and he soon won over Monroe to his way of thinking. They then reported to Madison that "on a thorough examination of the subject" they were persuaded that they had purchased West Florida as a part of Louisiana.

By what process of reasoning had Livingston and Monroe reached this satisfying conclusion? Their argument proceeded from carefully chosen premises. France, it was said, had once held Louisiana and the Floridas together as part of her colonial empire in America; in 1763 she had ceded New Orleans and the territory west of the Mississippi to Spain, and at the same time she had transferred the Floridas to Great Britain; in 1783 Great Britain had returned the Floridas to Spain which were then reunited to Louisiana as under French rule. *Ergo*, when Louisiana was *retro*-ceded "with the same extent that it now has in the hands of Spain, and that it had when France possessed it," it must have included West Florida.

That Livingston was able to convince himself by this logic, does not speak well for his candor or intelligence. He was well aware that Bonaparte had

failed to persuade Don Carlos to include the Floridas in the retrocession; he had tried to insert in the treaty an article pledging the First Consul to use his good offices to obtain the Floridas for the United States; and in his midnight dispatch to Madison, with the prospect of acquiring Louisiana before him, he had urged the advisability of exchanging this province for the more desirable Floridas. Livingston therefore could not, and did not, say that Spain intended to cede the Floridas as a part of Louisiana, but that she had inadvertently done so and that Bonaparte might have claimed West Florida, if he had been shrewd enough to see his opportunity. The United States was in no way prevented from pressing this claim because the First Consul had not done so. The fact that France had in 1763 actually dismembered her colonial empire and that Louisiana as ceded to Spain extended only to the Iberville, was given no weight in Livingston's deductions.

Having the will to believe, Jefferson and Madison became converts to Livingston's faith. Madison wrote at once that in view of these developments no proposal to exchange Louisiana for the Floridas should be entertained; the President declared himself satisfied that "our right to the Perdido is

substantial and can be opposed by a quibble on form only"; and John Randolph, duly coached by the Administration, flatly declared in the House of Representatives that "We have not only obtained the command of the mouth of the Mississippi, but of the Mobile, with its widely extended branches; and there is not now a single stream of note rising within the United States and falling into the Gulf of Mexico which is not entirely our own, the Appalachicola excepted." From this moment to the end of his administration, the acquisition of West Florida became a sort of obsession with Jefferson. His pursuit of this phantom claim involved American diplomats in strange adventures and at times deflected the whole course of domestic politics.

The first luckless minister to engage in this baffling quest was James Monroe, who had just been appointed Minister to the Court of St. James. He was instructed to take up the threads of diplomacy at Madrid where they were getting badly tangled in the hands of Charles Pinckney, who was a better politician than a diplomat. "Your inquiries may also be directed," wrote Madison, "to the question whether any, and how much, of what passes for

West Florida be fairly included in the territory ceded to us by France." Before leaving Paris on this mission, Monroe made an effort to secure the good offices of the Emperor, but he found Talleyrand cold and cynical as ever. He was given to understand that it was all a question of money; if the United States were willing to pay the price, the Emperor could doubtless have the negotiations transferred to Paris and put the deal through. A loan of seventy million livres to Spain, which would be passed over at once to France, would probably put the United States into possession of the coveted territory. As an honest man Monroe shrank from this sort of jobbery; besides, he could hardly offer to buy a territory which his Government asserted it had already bought with Louisiana. With the knowledge that he was defying Napoleon, or at least his ministers, he started for Madrid to play a lone hand in what he must have known was a desperate game.

The conduct of the Administration during the next few months was hardly calculated to smooth Monroe's path. In the following February (1804) President Jefferson put his signature to an act which was designed to give effect to the laws of the United States in the newly acquired territory. The

fourth section of this so-called Mobile Act included explicitly within the revenue district of Mississippi all the navigable waters lying within the United States and emptying into the Gulf east of the Mississippi — an extraordinary provision indeed, since unless the Floridas were a part of the United States there were no rivers within the limits of the United States emptying into the Gulf east of the Mississippi. The eleventh section was even more remarkable since it gave the President authority to erect Mobile Bay and River into a separate revenue district and to designate a port of entry.

This cool appropriation of Spanish territory was too much for the excitable Spanish Minister, Don Carlos Martinez Yrujo, who burst into Madison's office one morning with a copy of the act in his hand and with angry protests on his lips. He had been on excellent terms with Madison and had enjoyed Jefferson's friendship and hospitality at Monticello; but he was the accredited representative of His Catholic Majesty and bound to defend his sovereignty. He fairly overwhelmed the timid Madison with reproaches that could never be forgiven or forgotten; and from this moment he was *persona non grata* in the Department of State.

Madison doubtless took Yrujo's reproaches more

to heart just because he felt himself in a false position. The Administration had allowed the transfer of Louisiana to be made in the full knowledge that Laussat had been instructed to claim Louisiana as far as the Rio Bravo on the west but only as far as the Iberville on the east. Laussat had finally admitted as much confidentially to the American commissioners. Yet the Administration had not protested. And now it was acting on the assumption that it might dispose of the Gulf littoral, the West Florida coast, as it pleased. Madison was bound to admit in his heart of hearts that Yrujo had reason to be angry. A few weeks later the President relieved the tense situation, though at the price of an obvious evasion, by issuing a proclamation which declared all the shores and waters "lying *within the boundaries of the United States*"[1] to be a revenue district with Fort Stoddert as the port of entry. But the mischief had been done and no constructive interpretation of the act by the President could efface the impression first made upon the mind of Yrujo. Congress had meant to appropriate West Florida and the President had suffered the bill to become law.

Nor was Pinckney's conduct at Madrid likely to

[1] The italics are President Jefferson's.

make Monroe's mission easier. Two years before, in 1802, he had negotiated a convention by which Spain agreed to pay indemnity for depredations committed by her cruisers in the late war between France and the United States. This convention had been ratified somewhat tardily by the Senate and now waited on the pleasure of the Spanish Government. Pinckney was instructed to press for the ratification by Spain, which was taken for granted; but he was explicitly warned to leave the matter of the Florida claims to Monroe. When he presented the demands of his Government to Cevallos, the Foreign Minister, he was met in turn with a demand for explanations. What, pray, did his Government mean by this act? To Pinckney's astonishment, he was confronted with a copy of the Mobile Act, which Yrujo had forwarded. The South Carolinian replied, in a tone that was not calculated to soothe ruffled feelings, that he had already been advised that West Florida was included in the Louisiana purchase and had so reported to Cevallos. He urged that the two subjects be kept separate and begged His Excellency to have confidence in the honor and justice of the United States. Delays followed until Cevallos finally declared sharply that the treaty would be ratified only on several

conditions, one of which was that the Mobile Act should be revoked. Pinckney then threw discretion to the winds and announced that he would ask for his passports; but his bluster did not change Spanish policy, and he dared not carry out his threat.

It was under these circumstances that Monroe arrived in Madrid on his difficult mission. He was charged with the delicate task of persuading a Government whose pride had been touched to the quick to ratify the claims convention, to agree to a commission to adjudicate other claims which it had refused to recognize, to yield West Florida as a part of the Louisiana purchase, and to accept two million dollars for the rest of Florida east of the Perdido River. In preparing these extraordinary instructions, the Secretary of State labored under the hallucination that Spain, on the verge of war with England, would pay handsomely for the friendship of the United States, quite forgetting that the real master of Spain was at Paris.

The story of Monroe's five weary months in Spain may be briefly told. He was in the unstrategic position of one who asks for everything and can concede nothing. Only one consideration could probably have forced the Spanish Government to

yield, and that was fear. Spain had now declared war upon England and might reasonably be supposed to prefer a solid accommodation with the United States, as Madison intimated, rather than add to the number of her foes. But Cevallos exhibited no signs of fear; on the contrary he professed an amiable willingness to discuss every point at great length. Every effort on the part of the American to reach a conclusion was adroitly eluded. It was a game in which the Spaniard had no equal. At last, when indubitable assurances came to Monroe from Paris that Napoleon would not suffer Spain to make the slightest concession either in the matter of spoliation claims or any other claims, and that, in the event of a break between the United States and Spain, he would surely take the part of Spain, Monroe abandoned the game and asked for his passports. Late in May he returned to Paris, where he joined with General Armstrong, who had succeeded Livingston, in urging upon the Administration the advisability of seizing Texas, leaving West Florida alone for the present.

Months of vacillation followed the failure of Monroe's mission. The President could not shake off his obsession, and yet he lacked the resolution to employ force to take either Texas, which he did not

want but was entitled to, or West Florida which he ardently desired but whose title was in dispute. It was not until November of the following year (1805) that the Administration determined on a definite policy. In a meeting of the Cabinet "I proposed," Jefferson recorded in a memorandum, "we should address ourselves to France, informing her it was a last effort at amicable settlement with Spain and offer to her, or through her," a sum not to exceed five million dollars for the Floridas. The chief obstacle in the way of this programme was the uncertain mood of Congress, for a vote of credit was necessary and Congress might not take kindly to Napoleon as intermediary. Jefferson then set to work to draft a message which would "alarm the fears of Spain by a vigorous language, in order to induce her to join us in appealing to the interference of the Emperor."

The message sent to Congress alluded briefly to the negotiations with Spain and pointed out the unsatisfactory relations which still obtained. Spain had shown herself unwilling to adjust claims or the boundaries of Louisiana; her depredations on American commerce had been renewed; arbitrary duties and vexatious searches continued to obstruct American shipping on the Mobile; inroads had

been made on American territory; Spanish officers and soldiers had seized the property of American citizens. It was hoped that Spain would view these injuries in their proper light; if not, then the United States "must join in the unprofitable contest of trying which party can do the other the most harm. Some of these injuries may perhaps admit a peaceable remedy. Where that is competent, it is always the most desirable. But some of them are of a nature to be met by force only, and all of them may lead to it."

Coming from the pen of a President who had declared that peace was his passion, these belligerent words caused some bewilderment but, on the whole, very considerable satisfaction in Republican circles, where the possibility of rupture had been freely discussed. The people of the Southwest took the President at his word and looked forward with enthusiasm to a war which would surely overthrow Spanish rule in the Floridas and yield the coveted lands along the Gulf of Mexico. The country awaited with eagerness those further details which the President had promised to set forth in another message. These were felt to be historic moments full of dramatic possibilities.

Three days later, behind closed doors, Congress

listened to the special message which was to put the nation to the supreme test. Alas for those who had expected a trumpet call to battle. Never was a state paper better calculated to wither martial spirit. In dull fashion it recounted the events of Monroe's unlucky mission and announced the advance of Spanish forces in the Southwest, which, however, the President had not repelled, conceiving that "Congress alone is constitutionally invested with the power of changing our condition from peace to war." He had "barely instructed" our forces "to patrol the borders actually delivered to us." It soon dawned upon the dullest intelligence that the President had not the slightest intention to recommend a declaration of war. On the contrary, he was at pains to point out the path to peace. There was reason to believe that France was now disposed to lend her aid in effecting a settlement with Spain, and "not a moment should be lost in availing ourselves of it." "Formal war is not necessary, it is not probable it will follow; but the protection of our citizens, the spirit and honor of our country, require that force should be interposed to a certain degree. It will probably contribute to advance the object of peace."

After the warlike tone of the first message, this

sounded like a retreat. It outraged the feelings of the war party. It was, to their minds, an anticlimax, a pusillanimous surrender. None was angrier than John Randolph of Virginia, hitherto the leader of the forces of the Administration in the House. He did not hesitate to express his disgust with "this double set of opinions and principles"; and his anger mounted when he learned that as Chairman of the Committee on Ways and Means he was expected to propose and carry through an appropriation of two million dollars for the purchase of Florida. Further interviews with the President and the Secretary of State did not mollify him, for, according to his version of these conversations, he was informed that France would not permit Spain to adjust her differences with the United States, which had, therefore, the alternative of paying France handsomely or of facing a war with both France and Spain. Then Randolph broke loose from all restraint and swore by all his gods that he would not assume responsibility for "delivering the public purse to the first cut-throat that demanded it."

Randolph's opposition to the Florida programme was more than an unpleasant episode in Jefferson's administration; it proved to be the beginning of a

revolt which was fatal to the President's diplomacy, for Randolph passed rapidly from passive to active opposition and fought the two-million dollar bill to the bitter end. When the House finally outvoted him and his faction, soon to be known as the "Quids," and the Senate had concurred, precious weeks had been lost. Yet Madison must bear some share of blame for the delay since, for some reason, never adequately explained, he did not send instructions to Armstrong until four weeks after the action of Congress. It was then too late to bait the master of Europe. Just what had happened Armstrong could not ascertain; but when Napoleon set out in October, 1806, on that fateful campaign which crushed Prussia at Jena and Auerstädt, the chance of acquiring Florida had passed.

CHAPTER VI

AN AMERICAN CATILINE

With the transfer of Louisiana, the United States entered upon its first experience in governing an alien civilized people. At first view there is something incongruous in the attempt of the young Republic, founded upon the consent of the governed, to rule over a people whose land had been annexed without their consent and whose preferences in the matter of government had never been consulted. The incongruity appears the more striking when it is recalled that the author of the Declaration of Independence was now charged with the duty of appointing all officers, civil and military, in the new territory. King George III had never ruled more autocratically over any of his North American colonies than President Jefferson over Louisiana through Governor William Claiborne and General James Wilkinson.

The leaders among the Creoles and better class

of Americans counted on a speedy escape from this autocratic government, which was confessedly temporary. The terms of the treaty, indeed, encouraged the hope that Louisiana would be admitted at once as a State. The inhabitants of the ceded territory were to be "incorporated into the Union." But Congress gave a different interpretation to these words and dashed all hopes by the act of 1804, which, while it conceded a legislative council, made its members and all officers appointive, and divided the province. A delegation of Creoles went to Washington to protest against this inconsiderate treatment. They bore a petition which contained many stiletto-like thrusts at the President. What about those elemental rights of representation and election which had figured in the glorious contest for freedom? "Do political axioms on the Atlantic become problems when transferred to the shores of the Mississippi?" To such arguments Congress could not remain wholly indifferent. The outcome was a third act (March 2, 1805) which established the usual form of territorial government, an elective legislature, a delegate in Congress, and a Governor appointed by the President. To a people who had counted on statehood these concessions were small pinchbeck. Their irritation was not allayed,

and it continued to focus upon Governor Claiborne, the distrusted agent of a government which they neither liked nor respected.

Strange currents and counter-currents ran through the life of this distant province. Casa Calvo and Morales, the former Spanish officials, continued to reside in the city, like spiders at the center of a web of Spanish intrigue; and the threads of their web extended to West Florida, where Governor Folch watched every movement of Americans up and down the Mississippi, and to Texas, where Salcedo, Captain-General of the Internal Provinces of Mexico, waited for overt aggressions from land-hungry American frontiersmen. All these Spanish agents knew that Monroe had left Madrid empty-handed yet still asserting claims that were ill-disguised threats; but none of them knew whether the impending blow would fall upon West Florida or Texas. Then, too, right under their eyes was the Mexican Association, formed for the avowed purpose of collecting information about Mexico which would be useful if the United States should become involved in war with Spain. In the city, also, were adventurous individuals ready for any daring move upon Mexico, where, according to credible reports, a revolution was imminent. The conquest of

Mexico was the day-dream of many an adventurer. In his memoir advising Bonaparte to take and hold Louisiana as an impenetrable barrier to Mexico, Pontalba had said with strong conviction: "It is the surest means of destroying forever the bold schemes with which several individuals in the United States never cease filling the newspapers, by designating Louisiana as the highroad to the conquest of Mexico."

Into this web of intrigue walked the late Vice-President of the United States, leisurely journeying through the Southwest in the summer of 1805.

Aaron Burr is one of the enigmas of American politics. Something of the mystery and romance that shroud the evil-doings of certain Italian despots of the age of the Renaissance envelops him. Despite the researches of historians, the tangled web of Burr's conspiracy has never been unraveled. It remains the most fascinating though, perhaps, the least important episode in Jefferson's administration. Yet Burr himself repays study, for his activities touch many sides of contemporary society and illuminate many dark corners in American politics.

According to the principles of eugenics, Burr was

well-born, and by all the laws of this pseudo-science should have left an honorable name behind him. His father was a Presbyterian clergyman, sound in the faith, who presided over the infancy of the College of New Jersey; his maternal grandfather was that massive divine, Jonathan Edwards. After graduating at Princeton, Burr began to study law but threw aside his law books on hearing the news of Lexington. He served with distinction under Arnold before Quebec, under Washington in the battle of Long Island, and later at Monmouth, and retired with the rank of lieutenant colonel in 1779. Before the close of the Revolution he had begun the practice of law in New York, and had married the widow of a British army officer; entering politics, he became in turn a member of the State Assembly, Attorney-General, and United States Senator. But a mere enumeration of such details does not tell the story of Burr's life and character. Interwoven with the strands of his public career is a bewildering succession of intrigues and adventures in which women have a conspicuous part, for Burr was a fascinating man and disarmed distrust by avoiding any false assumption of virtue. His marriage, however, proved happy. He adored his

wife and fairly worshiped his strikingly beautiful daughter Theodosia.

Burr throve in the atmosphere of intrigue. New York politics afforded his proper *milieu.* How he ingratiated himself with politicians of high and low degree; how he unlocked the doors to political preferment; how he became one of the first bosses of the city of New York; how he combined public service with private interest; how he organized the voters — no documents disclose. Only now and then the enveloping fog lifts, as, for example, during the memorable election of 1800, when the ignorant voters of the seventh ward, duly drilled and marshaled, carried the city for the Republicans, and not even Colonel Hamilton, riding on his white horse from precinct to precinct, could stay the rout. That election carried New York for Jefferson and made Burr the logical candidate of the party for Vice-President.

These political strokes betoken a brilliant if not always a steady and reliable mind. Burr, it must be said, was not trusted even by his political associates. It is significant that Washington, a keen judge of men, refused to appoint Burr as Minister to France to succeed Morris because he was not convinced of his integrity. And Jefferson

shared these misgivings, though the exigencies of politics made him dissemble his feelings. It is significant, also, that Burr was always surrounded by men of more than doubtful intentions — place-hunters and self-seeking politicians, who had the gambler's instinct.

As Vice-President, Burr could not hope to exert much influence upon the Administration, since the office in itself conferred little power and did not even, according to custom, make him a member of the Cabinet; but as Republican boss of New York who had done more than any one man to secure the election of the ticket in 1800, he might reasonably expect Jefferson and his Virginia associates to treat him with consideration in the distribution of patronage. To his intense chagrin, he was ignored; not only ignored but discredited, for Jefferson deliberately allied himself with the Clintons and the Livingstons, the rival factions in New York which were bent upon driving Burr from the party. This treatment filled Burr's heart with malice; but he nursed his wounds in secret and bided his time.

Realizing that he was politically bankrupt, Burr made a hazard of new fortunes in 1804 by offering himself as candidate for Governor of New York, an office then held by George Clinton. Early in the

year he had a remarkable interview with Jefferson in which he observed that it was for the interest of the party for him to retire, but that his retirement under existing circumstances would be thought discreditable. He asked "some mark of favor from me," Jefferson wrote in his journal, "which would declare to the world that he retired with my confidence" — an executive appointment, in short. This was tantamount to an offer of peace or war. Jefferson declined to gratify him, and Burr then began an intrigue with the Federalist leaders of New England.

The rise of a Republican party of challenging strength in New England cast Federalist leaders into the deepest gloom. Already troubled by the annexation of Louisiana, which seemed to them to imperil the ascendancy of New England in the Union, they now saw their own ascendancy in New England imperiled. Under the depression of impending disaster, men like Senator Timothy Pickering of Massachusetts and Roger Griswold of Connecticut broached to their New England friends the possibility of a withdrawal from the Union and the formation of a Northern Confederacy. As the confederacy shaped itself in Pickering's imagination, it would of necessity include New

York; and the chaotic conditions in New York politics at this time invited intrigue. When, therefore, a group of Burr's friends in the Legislature named him as their candidate for Governor, Pickering and Griswold seized the moment to approach him with their treasonable plans. They gave him to understand that as Governor of New York he would naturally hold a strategic position and could, if he would, take the lead in the secession of the Northern States. Federalist support could be given to him in the approaching election. They would be glad to know his views. But the shifty Burr would not commit himself further than to promise a satisfactory administration. Though the Federalist intriguers would have been glad of more explicit assurances they counted on his vengeful temper and hatred of the Virginia domination at Washington to make him a pliable tool. They were willing to commit the party openly to Burr and trust to events to bind him to their cause.

Against this mad intrigue one clear-headed individual resolutely set himself — not wholly from disinterested motives. Alexander Hamilton had good reason to know Burr. He declared in private conversation, and the remark speedily became public property, that he looked upon Burr as a

dangerous man who ought not to be trusted with the reins of government. He pleaded with New York Federalists not to commit the fatal blunder of endorsing Burr in caucus, and he finally won his point; but he could not prevent his partisans from supporting Burr at the polls.

The defeat of Burr dashed the hopes of the Federalists of New England; the bubble of a Northern Confederacy vanished. It dashed also Burr's personal ambitions: he could no longer hope for political rehabilitation in New York. And the man who a second time had crossed his path and thwarted his purposes was his old rival, Alexander Hamilton. It is said that Burr was not naturally vindictive: perhaps no man is naturally vindictive. Certain it is that bitter disappointment had now made Burr what Hamilton had called him — "a dangerous man." He took the common course of men of honor at this time; he demanded prompt and unqualified acknowledgment or denial of the expression. Well aware of what lay behind this demand, Hamilton replied deliberately with half-conciliatory words, but he ended with the usual words of those prepared to accept a challenge, "I can only regret the circumstance, and must abide the consequences." A challenge followed. We are told

that Hamilton accepted to save his political leadership and influence — strange illusion in one so gifted! Yet public opinion had not yet condemned dueling, and men must be judged against the background of their times.

On a summer morning (July 11, 1804) Burr and Hamilton crossed the Hudson to Weehawken and there faced each other for the last time. Hamilton withheld his fire; Burr aimed with murderous intent, and Hamilton fell mortally wounded. The shot from Burr's pistol long reverberated. It woke public conscience to the horror and uselessness of dueling, and left Burr an outlaw from respectable society, stunned by the recoil, and under indictment for murder. Only in the South and West did men treat the incident lightly as an affair of honor.

The political career of Burr was now closed. When he again met the Senate face to face, he had been dropped by his own party in favor of George Clinton, to whom he surrendered the Vice-Presidency on March 5, 1805. His farewell address is described as one of the most affecting ever spoken in the Senate. Describing the scene to his daughter, Burr said that tears flowed abundantly, but Burr must have described what he wished to see. American politicians are not Homeric heroes, who weep

on slight provocation; and any inclination to pity Burr must have been inhibited by the knowledge that he had made himself the rallying-point of every dubious intrigue at the capital.

The list of Burr's intimates included Jonathan Dayton, whose term as Senator had just ended, and who, like Burr, sought means of promoting his fortunes, John Smith, Senator from Ohio, the notorious Swartwouts of New York who were attached to Burr as gangsters to their chief, and General James Wilkinson, governor of the northern territory carved out of Louisiana and commander of the western army with headquarters at St. Louis.

Wilkinson had a long record of duplicity, which was suspected but never proved by his contemporaries. There was hardly a dubious episode from the Revolution to this date with which he had not been connected. He was implicated in the Conway cabal against Washington; he was active in the separatist movement in Kentucky during the Confederation; he entered into an irregular commercial agreement with the Spanish authorities at New Orleans; he was suspected — and rightly, as documents recently unearthed in Spain prove — of having taken an oath of allegiance to Spain and of being in the pay of Spain; he was also suspected —

and justly — of using his influence to bring about a separation of the Western States from the Union; yet in 1791 he was given a lieutenant-colonel's commission in the regular army and served under St. Clair in the Northwest, and again as a brigadier-general under Wayne. Even here the atmosphere of intrigue enveloped him, and he was accused of inciting discontent among the Kentucky troops and of trying to supplant Wayne. When commissioners were trying to run the Southern boundary in accordance with the treaty of 1795 with Spain, Wilkinson — still a pensioner of Spain, as documents prove — attempted to delay the survey. In the light of these revelations, Wilkinson appears as an unscrupulous adventurer whose thirst for lucre made him willing to betray either master — the Spaniard who pensioned him or the American who gave him his command.

In the spring of 1805 Burr made a leisurely journey across the mountains, by way of Pittsburgh, to New Orleans, where he had friends and personal followers. The secretary of the territory was one of his henchmen; a justice of the superior court was his stepson; the Creole petitionists who had come to Washington to secure self-government had been cordially received by Burr and had a lively sense of

gratitude. On his way down the Ohio, Burr landed at Blennerhassett's Island, where an eccentric Irishman of that name owned an estate. Harman Blennerhassett was to rue the day that he entertained this fascinating guest. At Cincinnati he was the guest of Senator Smith, and there he also met Dayton. At Nashville he visited General Andrew Jackson, who was thrilled with the prospect of war with Spain; at Fort Massac he spent four days in close conference with General Wilkinson; and at New Orleans he consorted with Daniel Clark, a rich merchant and the most uncompromising opponent of Governor Claiborne, and with members of the Mexican Association and every would-be adventurer and filibuster. In November, Burr was again in Washington. What was the purpose of this journey and what did it accomplish?

It is far easier to tell what Burr did after this mysterious western expedition than what he planned to do. There is danger of reading too great consistency into his designs. At one moment, if we may believe Anthony Merry, the British Minister, who lent an ear to Burr's proposals, he was plotting a revolution which should separate the Western States from the Union. To accomplish this design he needed British funds and a British

naval force. Jonathan Dayton revealed to Yrujo much the same plot — which he thought was worth thirty or forty thousand dollars to the Spanish Government. To such urgent necessity for funds were the conspirators driven. But Dayton added further details to the story which may have been intended only to intimidate Yrujo. The revolution effected by British aid, said Dayton gravely, an expedition would be undertaken against Mexico. Subsequently Dayton unfolded a still more remarkable tale. Burr had been disappointed in the expectation of British aid, and he was now bent upon "an almost insane plan," which was nothing less than the seizure of the Government at Washington. With the government funds thus obtained, and with the necessary frigates, the conspirators would sail for New Orleans and proclaim the independence of Louisiana and the Western States.

The kernel of truth in these accounts is not easily separated from the chaff. The supposition that Burr seriously contemplated a separation of the Western States from the Union may be dismissed from consideration. The loyalty of the Mississippi Valley at this time is beyond question; and Burr was too keen an observer not to recognize the

temper of the people with whom he sojourned. But there is reason to believe that he and his confederates may have planned an enterprise against Mexico, for such a project was quite to the taste of Westerners who hated Spain as ardently as they loved the Union. Circumstances favored a filibustering expedition. The President's bellicose message of December had prepared the people of the Mississippi Valley for war; the Spanish plotters had been expelled from Louisiana; Spanish forces had crossed the Sabine; American troops had been sent to repel them if need be; the South American revolutionist Miranda had sailed, with vessels fitted out in New York, to start a revolt against Spanish rule in Caraças; every revolutionist in New Orleans was on the *qui vive.* What better time could there be to launch a filibustering expedition against Mexico? If it succeeded and a republic were established, the American Government might be expected to recognize a *fait accompli.*

The success of Burr's plans, whatever they may have been, depended on his procuring funds; and it was doubtless the hope of extracting aid from Blennerhassett that drew him to the island in midsummer of 1806. Burr was accompanied by

his daughter Theodosia and her husband, Joseph Alston, a wealthy South Carolina planter, who was either the dupe or the accomplice of Burr. Together they persuaded the credulous Irishman to purchase a tract of land on the Washita River in the heart of Louisiana, which would ultimately net him a profit of a million dollars when Louisiana became an independent state with Burr as ruler and England as protector. They even assured Blennerhassett that he should go as minister to England. He was so dazzled at the prospect that he not only made the initial payment for the lands, but advanced all his property for Burr's use on receiving a guaranty from Alston. Having landed his fish, Burr set off down the river to visit General Jackson at Nashville and to procure boats and supplies for his expedition.

Meanwhile, Theodosia — the brilliant, fascinating Theodosia — and her husband played the game at Blennerhassett's Island. Blennerhassett's head was completely turned. He babbled most indiscreetly about the approaching *coup d'état.* Colonel Burr would be king of Mexico, he told his gardener, and Mrs. Alston would be queen when Colonel Burr died. Who could resist the charms of this young princess? Blennerhassett and his wife were

impatient to exchange their little isle for marble halls in far away Mexico.

But all was not going well with the future Emperor of Mexico. Ugly rumors were afloat. The active preparations at Blennerhassett's Island, the building of boats at various points along the river, the enlistment of recruits, coupled with hints of secession, disturbed such loyal citizens as the District-Attorney at Frankfort, Kentucky. He took it upon himself to warn the President, and then, in open court, charged Burr with violating the laws of the United States by setting on foot a military expedition against Mexico and with inciting citizens to rebellion in the Western States. But at the meeting of the grand jury Burr appeared surrounded by his friends and with young Henry Clay for counsel. The grand jury refused to indict him and he left the court in triumph. Some weeks later the District-Attorney renewed his motion; but again Burr was discharged by the grand jury, amid popular applause. Enthusiastic admirers in Frankfort even gave a ball in his honor.

Notwithstanding these warnings of conspiracy, President Jefferson exhibited a singular indifference and composure. To all alarmists he made the

same reply. The people of the West were loyal and could be trusted. It was not until disquieting and ambiguous messages from Wilkinson reached Washington — disquieting because ambiguous — that the President was persuaded to act. On the 27th of November, he issued a proclamation warning all good citizens that sundry persons were conspiring against Spain and enjoining all Federal officers to apprehend those engaged in the unlawful enterprise. The appearance of this proclamation at Nashville should have led to Burr's arrest, for he was still detained there; but mysterious influences seemed to paralyze the arm of the Government. On the 22d of December, Burr set off, with two boats which Jackson had built and some supplies, down the Cumberland. At the mouth of the river, he joined forces with Blennerhassett, who had left his island in haste just as the Ohio militia was about to descend upon him. The combined strength of the flotilla was nine bateaux carrying less than sixty men. There was still time to intercept the expedition at Fort Massac, but again delays that have never been explained prevented the President's proclamation from arriving in time; and Burr's little fleet floated peacefully by down stream.

The scene now shifts to the lower Mississippi, and the heavy villain of the melodrama appears on the stage in the uniform of a United States military officer — General James Wilkinson. He had been under orders since May 6, 1806, to repair to the Territory of Orleans with as little delay as possible and to repel any invasion east of the River Sabine; but it was now September and he had only just reached Natchitoches, where the American volunteers and militiamen from Louisiana and Mississippi were concentrating. Much water had flowed under the bridge since Aaron Burr visited New Orleans.

After President Jefferson's bellicose message of the previous December, war with Spain seemed inevitable. And when Spanish troops crossed the Sabine in July and took up their post only seventeen miles from Natchitoches, Western Americans awaited only the word to begin hostilities. The *Orleans Gazette* declared that the time to repel Spanish aggression had come. The enemy must be driven beyond the Sabine. "The route from Natchitoches to Mexico is clear, plain, and open." The occasion was at hand "for conferring on our oppressed Spanish brethren in Mexico those inestimable blessings of freedom which we ourselves

enjoy." "Gallant Louisianians! Now is the time to distinguish yourselves. . . . Should the generous efforts of our Government to establish a free, independent Republican Empire in Mexico be successful, how fortunate, how enviable would be the situation in New Orleans!" The editor who sounded this clarion call was a coadjutor of Burr. On the flood tide of a popular war against Spain, they proposed to float their own expedition. Much depended on General Wilkinson; but he had already written privately of subverting the Spanish Government in Mexico, and carrying "our conquests to California and the Isthmus of Darien."

With much swagger and braggadocio, Wilkinson advanced to the center of the stage. He would drive the Spaniards over the Sabine, though they outnumbered him three to one. "I believe, my friend," he wrote, "I shall be obliged to fight and to flog them." Magnificent stage thunder. But to Wilkinson's chagrin the Spaniards withdrew of their own accord. Not a Spaniard remained to contest his advance to the border. Yet, oddly enough, he remained idle in camp. Why?

Some two weeks later, an emissary appeared at Natchitoches with a letter from Burr dated the 29th of July, in cipher. What this letter may have

originally contained will probably never be known, for only Wilkinson's version survives, and that underwent frequent revision.[1] It is quite as remarkable for its omissions as for anything that it contains. In it there is no mention of a western uprising nor of a revolution in New Orleans; but only the intimation that an attack is to be made upon Spanish possessions, presumably Mexico, with possibly Baton Rouge as the immediate objective. Whether or no this letter changed Wilkinson's plan, we can only conjecture. Certain it is, however, that about this time Wilkinson determined to denounce Burr and his associates and to play a double game, posing on the one hand as the savior of his country and on the other as a secret friend to Spain. After some hesitation he wrote to President Jefferson warning him in general terms of an expedition preparing against Vera Cruz but omitting all mention of Burr. Subsequently he wrote a confidential letter about this "deep, dark, and widespread conspiracy" which enmeshed all classes and conditions in New Orleans and might bring seven thousand men from the Ohio. The contents of

[1] What is usually accepted as the correct version is printed by McCaleb in his *Aaron Burr Conspiracy*, pp. 74 and 75, and by Henry Adams in his *History of the United States*, vol. III, pp. 253–4.

Burr's mysterious letter were to be communicated orally to the President by the messenger who bore this precious warning. It was on the strength of these communications that the President issued his proclamation of the 27th of November.

While Wilkinson was inditing these misleading missives to the President, he was preparing the way for his entry at New Orleans. To the perplexed and alarmed Governor he wrote: "You are surrounded by dangers of which you dream not, and the destruction of the American Government is seriously menaced. The storm will probably burst in New Orleans, where I shall meet it, and triumph or perish!" Just five days later he wrote a letter to the Viceroy of Mexico which proves him beyond doubt the most contemptible rascal who ever wore an American uniform. "A storm, a revolutionary tempest, an infernal plot threatens the destruction of the empire," he wrote; the first object of attack would be New Orleans, then Vera Cruz, then Mexico City; scenes of violence and pillage would follow; let His Excellency be on his guard. To ward off these calamities, "I will hurl myself like a Leonidas into the breach." But let His Excellency remember what risks the writer of this letter incurs, "by offering without orders this communication to a

foreign power," and let him reimburse the bearer of this letter to the amount of 121,000 pesos which will be spent to shatter the plans of these bandits from the Ohio.

The arrival of Wilkinson in New Orleans was awaited by friends and foes, with bated breath. The conspirators had as yet no intimation of his intentions: Governor Claiborne was torn by suspicion of this would-be savior, for at the very time he was reading Wilkinson's gasconade he received a cryptic letter from Andrew Jackson which ran, "keep a watchful eye on our General and beware of an attack as well from your own country as Spain!" If Claiborne could not trust "our General," whom could he trust!

The stage was now set for the last act in the drama. Wilkinson arrived in the city, deliberately set Claiborne aside, and established a species of martial law, not without opposition. To justify his course Wilkinson swore to an affidavit based on Burr's letter of the 29th of July and proceeded with his arbitrary arrests. One by one Burr's confederates were taken into custody. The city was kept in a state of alarm; Burr's armed thousands were said to be on the way; the negroes were to be incited to revolt. Only the actual appearance of Burr's

expedition or some extraordinary happening could maintain this high pitch of popular excitement and save Wilkinson from becoming the ridiculous victim of his own folly.

On the 10th of January (1807), after an uneventful voyage down the Mississippi, Burr's flotilla reached the mouth of Bayou Pierre, some thirty miles above Natchez. Here at length was the huge armada which was to shatter the Union — nine boats and sixty men! Tension began to give way. People began to recover their sense of humor. Wilkinson was never in greater danger in his life, for he was about to appear ridiculous. It was at Bayou Pierre that Burr going ashore learned that Wilkinson had betrayed him. His first instinct was to flee, for if he should proceed to New Orleans he would fall into Wilkinson's hands and doubtless be court-martialed and shot; but if he tarried, he would be arrested and sent to Washington. Indecision and despair seized him; and while Blennerhassett and other devoted followers waited for their emperor to declare his intention, he found himself facing the acting-governor of the Mississippi Territory with a warrant for his arrest. To the chagrin of his fellow conspirators, Burr surrendered tamely, even pusillanimously.

The end of the drama was near at hand. Burr was brought before a grand jury, and though he once more escaped indictment, he was put under bonds, quite illegally he thought, to appear when summoned. On the 1st of February he abandoned his followers to the tender mercies of the law and fled in disguise into the wilderness. A month later he was arrested near the Spanish border above Mobile by Lieutenant Gaines, in command at Fort Stoddert, and taken to Richmond. The trial that followed did not prove Burr's guilt, but it did prove Thomas Jefferson's credulity and cast grave doubts on James Wilkinson's loyalty.[1] Burr was acquitted of the charge of treason in court, but he remained under popular indictment, and his memory has never been wholly cleared of the suspicion of treason.

[1] An account of the trial of Burr will be found in *John Marshall and the Constitution* by Edward S. Corwin, in *The Chronicles of America*.

CHAPTER VII

AN ABUSE OF HOSPITALITY

WHILE Captain Bainbridge was eating his heart out in the Pasha's prison at Tripoli, his thoughts reverting constantly to his lost frigate, he reminded Commodore Preble, with whom he was allowed to correspond, that "the greater part of our crew consists of English subjects not naturalized in America." This incidental remark comes with all the force of a revelation to those who have fondly imagined that the sturdy jack-tars who manned the first frigates were genuine American sea-dogs. Still more disconcerting is the information contained in a letter from the Secretary of the Treasury to President Jefferson, some years later, to the effect that after 1803 American tonnage increased at the rate of seventy thousand a year, but that of the four thousand seamen required to man this growing mercantile marine, fully one-half were British subjects, presumably deserters. How are

these uncomfortable facts to be explained? Let a third piece of information be added. In a report of Admiral Nelson, dated 1803, in which he broaches a plan for manning the British navy, it is soberly stated that forty-two thousand British seamen deserted "in the late war." Whenever a large convoy assembled at Portsmouth, added the Admiral, not less than a thousand seamen usually deserted from the navy.

The slightest acquaintance with the British navy when Nelson was winning immortal glory by his victory at Trafalgar must convince the most sceptical that his seamen for the most part were little better than galley slaves. Life on board these frigates was well-nigh unbearable. The average life of a seaman, Nelson reckoned, was forty-five years. In this age before processes of refrigeration had been invented, food could not be kept edible on long voyages, even in merchantmen. Still worse was the fare on men-of-war. The health of a crew was left to Providence. Little or no forethought was exercised to prevent disease; the commonest matters of personal hygiene were neglected; and when disease came the remedies applied were scarcely to be preferred to the disease. Discipline, always brutal, was symbolized by the cat-o'-nine-tails. Small

wonder that the navy was avoided like the plague by every man and seaman.

Yet a navy had to be maintained: it was the cornerstone of the Empire. And in all the history of that Empire the need of a navy was never stronger than in these opening years of the nineteenth century. The practice of impressing able men for the royal navy was as old as the reign of Elizabeth. The press gang was an odious institution of long standing — a terror not only to rogue and vagabond but to every able-bodied seafaring man and waterman on rivers, who was not exempted by some special act. It ransacked the prisons, and carried to the navy not only its victims but the germs of fever which infested public places of detention. But the press gang harvested its greatest crop of seamen on the seas. Merchantmen were stopped at sea, robbed of their able sailors, and left to limp short-handed into port. A British East Indiaman homeward bound in 1802 was stripped of so many of her crew in the Bay of Biscay that she was unable to offer resistance to a French privateer and fell a rich victim into the hands of the enemy. The necessity of the royal navy knew no law and often defeated its own purpose.

Death or desertion offered the only way of escape

to the victim of the press gang. And the commander of a British frigate dreaded making port almost as much as an epidemic of typhus. The deserter always found American merchantmen ready to harbor him. Fair wages, relatively comfortable quarters, and decent treatment made him quite ready to take any measures to forswear his allegiance to Britannia. Naturalization papers were easily procured by a few months' residence in any State of the Union; and in default of legitimate papers, certificates of citizenship could be bought for a song in any American seaport, where shysters drove a thrifty traffic in bogus documents. Provided the English navvy took the precaution to have the description in his certificate tally with his personal appearance, and did not let his tongue betray him, he was reasonably safe from capture.

Facing the palpable fact that British seamen were deserting just when they were most needed and were making American merchantmen and frigates their asylum, the British naval commanders, with no very nice regard for legal distinctions, extended their search for deserters to the decks of American vessels, whether in British waters or on the high seas. If in time of war, they reasoned, they could stop a neutral ship on the high seas,

search her for contraband of war, and condemn ship and cargo in a prize court if carrying contraband, why might they not by the same token search a vessel for British deserters and impress them into service again? Two considerations seem to justify this reasoning: the trickiness of the smart Yankees who forged citizenship papers, and the indelible character of British allegiance. Once an Englishman always an Englishman, by Jove! Your hound of a sea-dog might try to talk through his nose like a Yankee, you know, and he might shove a dirty bit of paper at you, but he couldn't shake off his British citizenship if he wanted to! This was good English law, and if it wasn't recognized by other nations so much the worse for them. As one of these redoubtable British captains put it, years later: "'Might makes right' is the guiding, practical maxim among nations and ever will be, so long as powder and shot exist, with money to back them, and energy to wield them." Of course, there were hair-splitting fellows, plenty of them, in England and the States, who told you that it was one thing to seize a vessel carrying contraband and have her condemned by judicial process in a court of admiralty, and quite another thing to carry British subjects off the decks of a merchantman

flying a neutral flag; but if you knew the blasted rascals were deserters what difference did it make? Besides, what would become of the British navy, if you listened to all the fine-spun arguments of landsmen? And if these stalwart blue-water Britishers could have read what Thomas Jefferson was writing at this very time, they would have classed him with the armchair critics who had no proper conception of a sailor's duty. "I hold the right of expatriation," wrote the President, "to be inherent in every man by the laws of nature, and incapable of being rightfully taken away from him even by the united will of every other person in the nation."

In the year 1805, while President Jefferson was still the victim of his overmastering passion, and disposed to cultivate the good will of England, if thereby he might obtain the Floridas, unforeseen commercial complications arose which not only blocked the way to a better understanding in Spanish affairs but strained diplomatic relations to the breaking point. News reached Atlantic seaports that American merchantmen, which had hitherto engaged with impunity in the carrying trade between Europe and the West Indies, had been seized and condemned in British admiralty courts. Every American shipmaster and owner at once lifted up

his voice in indignant protest; and all the latent hostility to their old enemy revived. Here were new orders-in-council, said they: the leopard cannot change his spots. England is still England — the implacable enemy of neutral shipping. "Never will neutrals be perfectly safe till free goods make free ships or till England loses two or three great naval battles," declared the *Salem Register*.

The recent seizures were not made by orders-in-council, however, but in accordance with a decision recently handed down by the court of appeals in the case of the ship *Essex*. Following a practice which had become common in recent years, the *Essex* had sailed with a cargo from Barcelona to Salem and thence to Havana. On the high seas she had been captured, and then taken to a British port, where ship and cargo were condemned because the voyage from Spain to her colony had been virtually continuous, and by the so-called Rule of 1756, direct trade between a European state and its colony was forbidden to neutrals in time of war when such trade had not been permitted in time of peace. Hitherto, the British courts had inclined to the view that when goods had been landed in a neutral country and duties paid, the voyage had been broken. Tacitly a trade that was virtually direct

had been countenanced, because the payment of duties seemed evidence enough that the cargo became a part of the stock of the neutral country and, if reshipped, was then a *bona fide* neutral cargo. Suddenly English merchants and shippers woke to the fact that they were often victims of deception. Cargoes would be landed in the United States, duties ostensibly paid, and the goods ostensibly imported, only to be reshipped in the same bottoms, with the connivance of port officials, either without paying any real duties or with drawbacks. In the case of the *Essex* the court of appeals cut directly athwart these practices by going behind the *prima facie* payment and inquiring into the intent of the voyage. The mere touching at a port without actually importing the cargo into the common stock of the country did not alter the nature of the voyage. The crucial point was the intent, which the court was now and hereafter determined to ascertain by examination of facts. The court reached the indubitable conclusion that the cargo of the *Essex* had never been intended for American markets. The open-minded historian must admit that this was a fair application of the Rule of 1756, but he may still challenge the validity of the rule, as all neutral countries did, and the wisdom of the

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monopolistic impulse which moved the commercial classes and the courts of England to this decision.[1]

Had the impressment of seamen and the spoliation of neutral commerce occurred only on the high seas, public resentment would have mounted to a high pitch in the United States; but when British cruisers ran into American waters to capture or burn French vessels, and when British men-of-war blockaded ports, detaining and searching — and at times capturing — American vessels, indignation rose to fever heat. The blockade of New York Harbor by two British frigates, the *Cambrian* and the *Leander*, exasperated merchants beyond measure. On board the *Leander* was a young midshipman, Basil Hall, who in after years described the activities of this execrated frigate.

> Every morning at daybreak, we set about arresting the progress of all the vessels we saw, firing off guns to the right and left to make every ship that was running in heave to, or wait until we had leisure to send a boat on board "to see," in our lingo, "what she was made of." I have frequently known a dozen, and sometimes

[1] Professor William E. Lingelbach in a notable article on "England and Neutral Trade" in *The Military Historian and Economist* (April, 1917) has pointed out the error committed by almost every historian from Henry Adams down, that the *Essex* decision reversed previous rulings of the court and was not in accord with British law.

a couple of dozen, ships lying a league or two off the port, losing their fair wind, their tide, and worse than all their market, for many hours, sometimes the whole day, before our search was completed.[1]

One day in April, 1806, the *Leander*, trying to halt a merchantman that she meant to search, fired a shot which killed the helmsman of a passing sloop. The boat sailed on to New York with the mangled body; and the captain, brother of the murdered man, lashed the populace into a rage by his mad words. Supplies for the frigates were intercepted, personal violence was threatened to any British officers caught on shore, the captain of the *Leander* was indicted for murder, and the funeral of the murdered sailor was turned into a public demonstration. Yet nothing came of this incident, beyond a proclamation by the President closing the ports of the United States to the offending frigates and ordering the arrest of the captain of the *Leander* wherever found. After all, the death of a common seaman did not fire the hearts of farmers peacefully tilling their fields far beyond hearing of the *Leander's* guns.

A year full of troublesome happenings passed;

[1] *Fragments of Voyages and Travels*, quoted by Henry Adams, in *History of the United States*, vol. III, p. 92.

scores of American vessels were condemned in British admiralty courts, and American seamen were impressed with increasing frequency, until in the early summer of 1807 these manifold grievances culminated in an outrage that shook even Jefferson out of his composure and evoked a passionate outcry for war from all parts of the country.

While a number of British war vessels were lying in Hampton Roads watching for certain French frigates which had taken refuge up Chesapeake Bay, they lost a number of seamen by desertion under peculiarly annoying circumstances. In one instance a whole boat's crew made off under cover of night to Norfolk and there publicly defied their commander. Three deserters from the British frigate *Melampus* had enlisted on the American frigate *Chesapeake*, which had just been fitted out for service in the Mediterranean; but on inquiry these three were proven to be native Americans who had been impressed into British service. Unfortunately inquiry did disclose one British deserter who had enlisted on the *Chesapeake*, a loud-mouthed tar by the name of Jenkin Ratford. These irritating facts stirred Admiral Berkeley at Halifax to high-handed measures. Without waiting for instructions, he issued an order to all commanders in the

North Atlantic Squadron to search the *Chesapeake* for deserters, if she should be encountered on the high seas. This order of the 1st of June should be shown to the captain of the *Chesapeake* as sufficient authority for searching her.

On June 22, 1807, the *Chesapeake* passed unsuspecting between the capes on her way to the Mediterranean. She was a stanch frigate carrying forty guns and a crew of 375 men and boys; but she was at this time in a distressing state of unreadiness, owing to the dilatoriness and incompetence of the naval authorities at Washington. The gun-deck was littered with lumber and odds and ends of rigging; the guns, though loaded, were not all fitted to their carriages; and the crew was untrained. As the guns had to be fired by slow matches or by loggerheads heated red-hot, and the ammunition was stored in the magazine, the frigate was totally unprepared for action. Commodore Barron, who commanded the *Chesapeake*, counted on putting her into fighting trim on the long voyage across the Atlantic.

Just ahead of the *Chesapeake* as she passed out to sea was the *Leopard*, a British frigate of fifty-two guns, which was apparently on the lookout for suspicious merchantmen. It was not until both

vessels were eight miles or more southeast of Cape Henry that the movements of the *Leopard* began to attract attention. At about half-past three in the afternoon she came within hailing distance and hove to, announcing that she had dispatches for the commander. The *Chesapeake* also hove to and answered the hail, a risky move considering that she was unprepared for action and that the *Leopard* lay to the windward. But why should the commander of the American frigate have entertained suspicions?

A boat put out from the *Leopard*, bearing a petty officer, who delivered a note enclosing Admiral Berkeley's order and expressing the hope that "every circumstance . . . may be adjusted in a manner that the harmony subsisting between the two countries may remain undisturbed." Commodore Barron replied that he knew of no British deserters on his vessel and declined in courteous terms to permit his crew to be mustered by any other officers but their own. The messenger departed, and then, for the first time entertaining serious misgivings, Commodore Barron ordered his decks cleared for action. But before the crew could bestir themselves, the *Leopard* drew near, her men at quarters. The British commander shouted a

warning, but Barron, now thoroughly alarmed, replied, "I don't hear what you say." The warning was repeated, but again Barron to gain time shouted that he could not hear. The *Leopard* then fired two shots across the bow of the *Chesapeake*, and almost immediately without parleying further — she was now within two hundred feet of her victim — poured a broadside into the American vessel.

Confusion reigned on the *Chesapeake*. The crew for the most part showed courage, but they were helpless, for they could not fire a gun for want of slow matches or loggerheads. They crowded about the magazine clamoring in vain for a chance to defend the vessel; they yelled with rage at their predicament. Only one gun was discharged and that was by means of a live coal brought up from the galley after the *Chesapeake* had received a third broadside and Commodore Barron had ordered the flag to be hauled down to spare further slaughter. Three of his crew had already been killed and eighteen wounded, himself among the number. The whole action lasted only fifteen minutes.

Boarding crews now approached and several British officers climbed to the deck of the *Chesapeake* and mustered her crew. Among the ship's company they found the alleged deserters and, hiding

in the coal-hole, the notorious Jenkin Ratford. These four men they took with them, and the *Leopard*, having fulfilled her instructions, now suffered the *Chesapeake* to limp back to Hampton Roads. "For the first time in their history," writes Henry Adams,[1] "the people of the United States learned, in June, 1807, the feeling of a true national emotion. Hitherto every public passion had been more or less partial and one-sided; . . . but the outrage committed on the *Chesapeake* stung through hidebound prejudices, and made democrat and aristocrat writhe alike."

Had President Jefferson chosen to go to war at this moment, he would have had a united people behind him, and he was well aware that he possessed the power of choice. "The affair of the *Chesapeake* put war into my hand," he wrote some years later. "I had only to open it and let havoc loose." But Thomas Jefferson was not a martial character. The State Governors, to be sure, were requested to have their militia in readiness, and the Governor of Virginia was desired to call such companies into service as were needed for the defense of Norfolk. The President referred in indignant terms to the abuse of the laws of hospitality and the "outrage"

[1] *History of the United States*, vol. IV, p. 27.

committed by the British commander; but his proclamation only ordered all British armed vessels out of American waters and forbade all intercourse with them if they remained. The tone of the proclamation was so moderate as to seem pusillanimous. John Randolph called it an apology. Thomas Jefferson did not mean to have war. With that extraordinary confidence in his own powers, which in smaller men would be called smug conceit, he believed that he could secure disavowal and honorable reparation for the wrong committed; but he chose a frail intermediary when he committed this delicate mission to James Monroe.

CHAPTER VIII

THE PACIFISTS OF 1807

It is one of the strange paradoxes of our time that the author of the Declaration of Independence, to whose principle of self-determination the world seems again to be turning, should now be regarded as a self-confessed pacifist, with all the derogatory implications that lurk in that epithet. The circumstances which made him a revolutionist in 1776 and a passionate advocate of peace in 1807 deserve some consideration. The charge made by contemporaries of Jefferson that his aversion to war sprang from personal cowardice may be dismissed at once, as it was by him, with contempt. Nor was his hatred of war merely an instinctive abhorrence of bloodshed. He had not hesitated to wage naval war on the Barbary Corsairs. It is true that he was temperamentally averse to the use of force under ordinary circumstances. He did not belong to that type of full-blooded men who find self-expression in

adventurous activity. Mere physical effort without conscious purpose never appealed to him. He was at the opposite pole of life from a man like Aaron Burr. He never, so far as history records, had an affair of honor; he never fought a duel; he never performed active military service; he never took human life. Yet he was not a non-resistant. "My hope of preserving peace for our country," he wrote on one occasion, "is not founded in the Quaker principle of non-resistance under every wrong."

The true sources of Jefferson's pacifism must be sought in his rationalistic philosophy, which accorded the widest scope to the principle of self-direction and self-determination, whether on the part of the individual or of groups of individuals. To impose one's will upon another was to enslave, according to his notion; to coerce by war was to enslave a community; and to enslave a community was to provoke revolution. Jefferson's thought gravitated inevitably to the center of his rational universe — to the principle of enlightened self-interest. Men and women are not to be permanently moved by force but by appeals to their interests. He completed his thought as follows in the letter already quoted: "But [my hope of preserving

peace is founded] in the belief that a just and friendly conduct on our part will procure justice and friendship from others. In the existing contest, each of the combatants will find an interest in our friendship."

It was a chaotic world in which this philosopher-statesman was called upon to act—a world in which international law and neutral rights had been well-nigh submerged in twelve years of almost continuous war. Yet with amazing self-assurance President Jefferson believed that he held in his hand a master-key which would unlock all doors that had been shut to the commerce of neutrals. He called this master-key "peaceable coercion," and he explained its magic potency in this wise:

> Our commerce is so valuable to them [the European belligerents] that they will be glad to purchase it when the only price we ask is to do us justice. I believe that we have in our hands the means of peaceable coercion; and that the moment they see our government so united as that they can make use of it, they will for their own interest be disposed to do us justice.

The idea of using commercial restrictions as a weapon to secure recognition of rights was of course not original with Jefferson, but it was now to be given a trial without parallel in the history of the

nation. Non-importation agreements had proved efficacious in the struggle of the colonies with the mother country; it seemed not unreasonable to suppose that a well-sustained refusal to traffic in English goods would meet the emergency of 1807, when the ruling of British admiralty courts threatened to cut off the lucrative commerce between Europe and the West Indies. With this theory in view, the President and his Secretary of State advocated the Non-Importation Bill of April 18, 1806, which forbade the entry of certain specified goods of British manufacture. The opposition found a leader in Randolph, who now broke once and for all with the Administration. "Never in the course of my life," he exclaimed, "have I witnessed such a scene of indignity and inefficiency as this measure holds forth to the world. What is it? A milk-and-water bill! A dose of chicken-broth to be taken nine months hence! . . . It is too contemptible to be the object of consideration, or to excite the feelings of the pettiest state in Europe." The Administration carried the bill through Congress, but Randolph had the satisfaction of seeing his characterization of the measure amply justified by the course of events.

With the Non-Importation Act as a weapon, the

President was confident that Monroe, who had once more returned to his post in London, could force a settlement of all outstanding differences with Great Britain. To his annoyance, and to Monroe's chagrin, however, he was obliged to send a special envoy to act with Monroe. Factious opposition in the Senate forced the President to placate the Federalists by appointing William Pinkney of Maryland. The American commissioners were instructed to insist upon three concessions in the treaty which they were to negotiate: restoration of trade with enemies' colonies, indemnity for captures made since the *Essex* decision, and express repudiation of the right of impressment. In return for these concessions, they might hold out the possible repeal of the Non-Importation Act! Only confirmed optimists could believe that the mistress of the seas, flushed with the victory of Trafalgar, would consent to yield these points for so slight a compensation. The mission was, indeed, doomed from the outset, and nothing more need be said of it than that in the end, to secure any treaty at all, Monroe and Pinkney broke their instructions and set aside the three ultimata. What they obtained in return seemed so insignificant and doubtful, and what they paid for even these slender

compensations seemed so exorbitant, that the President would not even submit the treaty to the Senate. The first application of the theory of peaceable coercion thus ended in humiliating failure. Jefferson thought it best "to let the negotiation take a friendly nap"; but Madison, who felt that his political future depended on a diplomatic triumph over England, drafted new instructions for the two commissioners, hoping that the treaty might yet be put into acceptable form. It was while these new instructions were crossing the ocean that the *Chesapeake* struck her colors.

James Monroe is one of the most unlucky diplomats in American history. From those early days when he had received the fraternal embraces of the Jacobins in Paris and had been recalled by President Washington, to the ill-fated Spanish mission, circumstances seem to have conspired against him. The honor of negotiating the purchase of Louisiana should have been his alone, but he arrived just a day too late and was obliged to divide the glory with Livingston. On this mission to England he was not permitted to conduct negotiations alone but was associated with William Pinkney, a Federalist. No wonder he suspected Madison, or at least

Madison's friends, of wishing to discredit him. And now another impossible task was laid upon him. He was instructed to demand not only disavowal and reparation for the attack on the *Chesapeake* and the restoration of the American seamen, but also as "an indispensable part of the satisfaction" "an entire abolition of impressments." If the Secretary of State had deliberately contrived to deliver Monroe into the hands of George Canning, he could not have been more successful, for Monroe had already protested against the *Chesapeake* outrage as an act of aggression which should be promptly disavowed without reference to the larger question of impressment. He was now obliged to eat his own words and inject into the discussion, as Canning put it, the irrelevant matters which they had agreed to separate from the present controversy. Canning was quick to see his opportunity. Mr. Monroe must be aware, said he, that on several recent occasions His Majesty had firmly declined to waive "the ancient and prescriptive usages of Great Britain, founded on the soundest principles of natural law," simply because they might come in contact with the interests or the feelings of the American people. If Mr. Monroe's instructions left him powerless to adjust this

regrettable incident of the *Leopard* and the *Chesapeake*, without raising the other question of the right of search and impressment, then His Majesty could only send a special envoy to the United States to terminate the controversy in a manner satisfactory to both countries. "But," added Canning with sarcasm which was not lost on Monroe, "in order to avoid the inconvenience which has arisen from the mixed nature of your instructions, that minister will not be empowered to entertain . . . any proposition respecting the search of merchant vessels."

One more humiliating experience was reserved for Monroe before his diplomatic career closed. Following Madison's new set of instructions, he and Pinkney attempted to reopen negotiations for the revision of the discredited treaty of the preceding year. But Canning had reasons of his own for wishing to be rid of a treaty which had been drawn by the late Whig Ministry. He informed the American commissioners arrogantly that "the proposal of the President of the United States for proceeding to negotiate anew upon the basis of a treaty already solemnly concluded and signed, is a proposal wholly inadmissible." His Majesty could therefore only acquiesce in the refusal of the President

to ratify the treaty. One week later, James Monroe departed from London, never again to set foot on British soil, leaving Pinkney to assume the duties of Minister at the Court of St. James. For the second time Monroe returned to his own country discredited by the President who had appointed him. In both instances he felt himself the victim of injustice. In spite of his friendship for Jefferson, he was embittered against the Administration and in this mood lent himself all too readily to the schemes of John Randolph, who had already picked him as the one candidate who could beat Madison in the next presidential election.

From the point of view of George Canning and the Tory squirearchy whose mouthpiece he was, the *Chesapeake* affair was but an incident — an unhappy incident, to be sure, but still only an incident — in the world-wide struggle with Napoleon. What was at stake was nothing less than the commercial supremacy of Great Britain. The astounding growth of Napoleon's empire was a standing menace to British trade. The overthrow of Prussia in the fall of 1806 left the Corsican in control of Central Europe and in a position to deal his long premeditated blow. A fortnight after the battle of Jena, he entered Berlin and there issued the famous

decree which was his answer to the British blockade of the French channel ports. Since England does not recognize the system of international law universally observed by all civilized nations — so the preamble read — but by a monstrous abuse of the right of blockade has determined to destroy neutral trade and to raise her commerce and industry upon the ruins of that of the continent, and since "whoever deals on the continent in English goods thereby favors and renders himself an accomplice of her designs," therefore the British Isles are declared to be in a state of blockade. Henceforth all English goods were to be lawful prize in any territory held by the troops of France or her allies; and all vessels which had come from English ports or from English colonies were to be confiscated, together with their cargoes. This challenge was too much for the moral equilibrium of the squires, the shipowners, and the merchants who dominated Parliament. It dulled their sense of justice and made them impatient under the pin-pricks which came from the United States. "A few short months of war," declared the *Morning Post* truculently, "would convince these desperate [American] politicians of the folly of measuring the strength of a rising, but still infant and puny, nation with the colossal power of

the British Empire." "Right," said the *Times*, another organ of the Tory Government, "is power sanctioned by usage." Concession to Americans at this crisis was not to be entertained for a moment, for after all, said the *Times*, they "possess all the vices of their Indian neighbors without their virtues."

In this temper the British Government was prepared to ignore the United States and deal Napoleon blow for blow. An order-in-council of January 7, 1807, asserted the right of retaliation and declared that "no vessel shall be permitted to trade from one port to another, both which ports shall belong to, or be in possession of France or her allies." The peculiar hardship of this order for American shipowners is revealed by the papers of Stephen Girard of Philadelphia, whose shrewdness and enterprise were making him one of the merchant princes of his time. One of his ships, the *Liberty*, of some 250 tons, was sent to Lisbon with a cargo of 2052 barrels and 220 half-barrels of flour which cost the owner $10.68 a barrel. Her captain, on entering port, learned that flour commanded a better price at Cadiz. To Cadiz, accordingly, he set sail and sold his cargo for $22.50 a barrel, winning for the owner a goodly profit

of $25,000, less commission. It was such trading ventures as this that the British order-in-council doomed.

What American shipmasters had now to fear from both belligerents was made startlingly clear by the fate of the ship *Horizon*, which had sailed from Charleston, South Carolina, with a cargo for Zanzibar. On the way she touched at various South American ports and disposed of most of her cargo. Then changing her destination, and taking on a cargo for the English market, she set sail for London. On the way she was forced to put in at Lisbon to refit. As she left to resume her voyage she was seized by an English frigate and brought in as a fair prize, since — according to the Rule of 1756 — she had been apprehended in an illegal traffic between an enemy country and its colony. The British prize court condemned the cargo but released the ship. The unlucky *Horizon* then loaded with an English cargo and sailed again to Lisbon, but misfortune overtook her and she was wrecked off the French coast. Her cargo was salvaged, however, and what was not of English origin was restored to her owners by decree of a French prize court; the rest of her cargo was confiscated under the terms of the Berlin decree.

When the American Minister protested at this decision, he was told that "since America suffers her ships to be searched, she adopts the principle that the flag does not cover the goods. Since she recognizes the absurd blockades laid by England, consents to having her vessels incessantly stopped, sent to England, and so turned aside from their course, why should the Americans not suffer the blockade laid by France? Certainly France recognizes that these measures are unjust, illegal, and subversive of national sovereignty; but it is the duty of nations to resort to force, and to declare themselves against things which dishonor them and disgrace their independence."[1] But an invitation to enter the European maelstrom and battle for neutral rights made no impression upon the mild-tempered President.

It is as clear as day that the British Government was now determined, under pretense of retaliating upon France, to promote British trade with the continent by every means and at the expense of neutrals. Another order-in-council, November 11, 1807, closed to neutrals all European ports under French control, "as if the same were actually blockaded," but permitted vessels which first

[1] Henry Adams, *History of the United States*, IV, p. 110.

entered a British port and obtained a British license to sail to any continental port. It was an order which, as Henry Adams has said, could have but one purpose — to make American commerce English. This was precisely the contemporary opinion of the historian's grandfather, who declared that "the orders-in-council, if submitted to, would have degraded us to the condition of colonists."

Only one more blow was needed, it would seem, to complete the ruin of American commerce. It fell a month later, when Napoleon, having overrun the Spanish peninsula and occupied Portugal, issued his Milan decree of December 17, 1807. Henceforth any vessel which submitted to search by English cruisers, or paid any tonnage duty or tax to the English Government, or sailed to or from any English port, would be captured and condemned as lawful prize. Such was to be the maritime code of France "until England should return to the principles of international law which are also those of justice and honor."

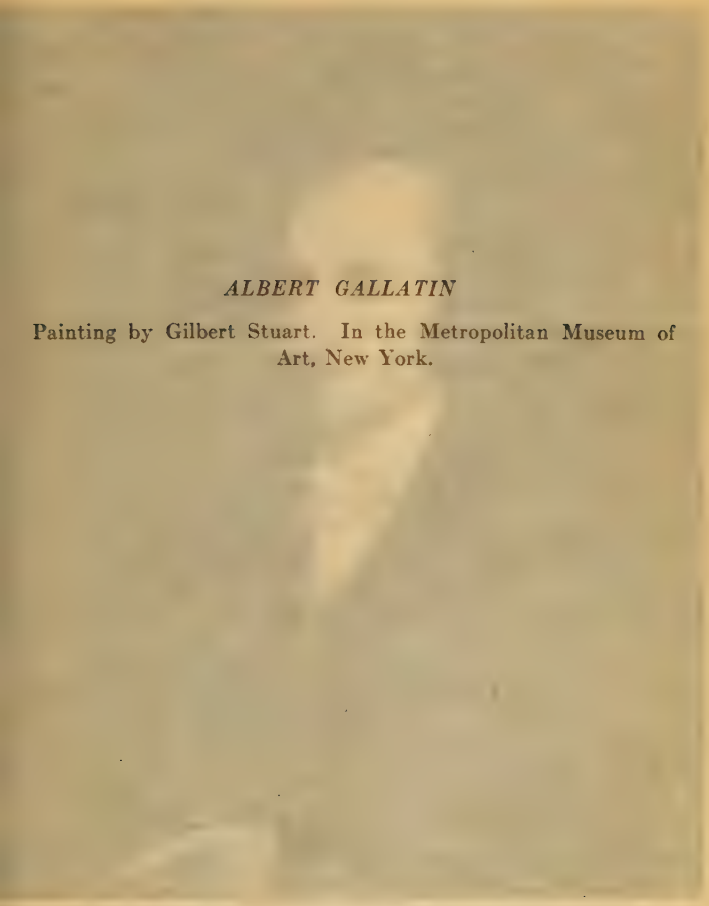
Never was a commercial nation less prepared to defend itself against depredations than the United States of America in this year 1807. For this unpreparedness many must bear the blame, but President Jefferson has become the scapegoat. This

Virginia farmer and landsman was not only ignorant and distrustful of all the implements of war, but utterly unfamiliar with the ways of the sea and with the first principles of sea-power. The Tripolitan War seems to have inspired him with a single fixed idea — that for defensive purposes gunboats were superior to frigates and less costly. He set forth this idea in a special message to Congress (February 10, 1807), claiming to have the support of "professional men," among whom he mentioned Generals Wilkinson and Gates! He proposed the construction of two hundred of these gunboats, which would be distributed among the various exposed harbors, where in time of peace they would be hauled up on shore under sheds, for protection against sun and storm. As emergency arose these floating batteries were to be manned by the seamen and militia of the port. What appealed particularly to the President in this programme was the immunity it offered from "an excitement to engage in offensive maritime war." Gallatin would have modified even this plan for economy's sake. He would have constructed only one-half of the proposed fleet since the large seaports could probably build thirty gunboats in as many days, if an emergency arose. In extenuation of Gallatin's shortsightedness, it

should be remembered that he was a native of Switzerland, whose navy has never ploughed many seas. It is less easy to excuse the rest of the President's advisers and the Congress which was beguiled into accepting this naïve project. Nor did the *Chesapeake* outrage teach either Congress or the Administration a salutary lesson. On the contrary, when in October the news of the bombardment of Copenhagen had shattered the nerves of statesmen in all neutral countries, and while the differences with England were still unsettled, Jefferson and his colleagues decided to hold four of the best frigates in port and use them "as receptacles for enlisting seamen to fill the gunboats occasionally." Whom the gods would punish they first make mad!

The 17th of December was a memorable day in the annals of this Administration. Favorable tradewinds had brought into American ports a number of packets with news from Europe. The *Revenge* had arrived in New York with Armstrong's dispatches announcing Napoleon's purpose to enforce the Berlin decree; the *Edward* had reached Boston with British newspapers forecasting the order-in-council of the 11th of November. This news burst like a bomb in Washington where the genial

President was observing with scientific detachment the operation of his policy of commercial coercion. The Non-Importation Act had just gone into effect. Jefferson immediately called his Cabinet together. All were of one mind. The impending order-in-council, it was agreed, left but one alternative. Commerce must be totally suspended until the full scope of these new aggressions could be ascertained. The President took a loose sheet of paper and drafted hastily a message to Congress, recommending an embargo in anticipation of the offensive British order. But the prudent Madison urged that it was better not to refer explicitly to the order and proposed a substitute which simply recommended "an immediate inhibition of the departure of our vessels from the ports of the United States," on the ground that shipping was likely to be exposed to greater dangers. Only Gallatin demurred: he would have preferred an embargo for a limited time. "I prefer war to a permanent embargo," he wrote next day. "Government prohibitions," he added significantly, "do always more mischief than had been calculated." But Gallatin was overruled and the message, in Madison's form, was sent to Congress on the following day. The Senate immediately passed the desired bill through three



ALBERT GALLATIN

Painting by Gilbert Stuart. In the Metropolitan Museum of Art, New York.

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readings in a single day; the House confirmed this action after only two days of debate; and on the 22d of December, the President signed the Embargo Act.

What was this measure which was passed by Congress almost without discussion? Ostensibly it was an act for the protection of American ships, merchandise, and seamen. It forbade the departure of all ships for foreign ports, except vessels under the immediate direction of the President and vessels in ballast or already loaded with goods. Foreign armed vessels were exempted also as a matter of course. Coasting ships were to give bonds double the value of vessel and cargo to reland their freight in some port of the United States. Historians have discovered a degree of duplicity in the alleged motives for this act. How, it is asked, could protection of ships and seamen be the motive when all of Jefferson's private letters disclose his determination to put his theory of peaceable coercion to a practical test by this measure? The criticism is not altogether fair, for, as Jefferson would himself have replied, peaceable coercion was designed to force the withdrawal of orders-in-council and decrees that menaced the safety of ships and cargoes. The policy might entail some incidental hardships,

to be sure, but the end in view was protection of American lives and property. Madison was not quite candid, nevertheless, when he assured the British Minister that the embargo was a precautionary measure only and not conceived with hostile intent.

Chimerical this policy seemed to many contemporaries; chimerical it has seemed to historians, and to us who have passed through the World War. Yet in the World War it was the possession of food stuffs and raw materials by the United States which gave her a dominating position in the councils of the Allies. Had her commerce in 1807 been as necessary to England and France as it was "at the very peak" of the World War, Thomas Jefferson might have proved that peaceable coercion is an effective alternative to war; but he overestimated the magnitude and importance of the carrying trade of the United States, and erred still more grievously in assuming that a public conscience existed which would prove superior to the temptation to evade the law. Jefferson dreaded war quite as much because of its concomitants as because of its inevitable brutality, quite as much because it tended to exalt government and to produce corruption as because it maimed bodies and sacrificed human

lives. Yet he never took fully into account the possible accompaniments of his alternative to war. That the embargo would debauch public morals and make government arbitrary, he was to learn only by bitter experience and personal humiliation.

Just after the passage of this momentous act, Canning's special envoy, George Rose, arrived in the United States. A British diplomat of the better sort, with much dignity of manner and suave courtesy, he was received with more than ordinary consideration by the Administration. He was commissioned, every one supposed, to offer reparation for the *Chesapeake* affair. Even after he had notified Madison that his instructions bade him insist, as an indispensable preliminary, on the recall of the President's *Chesapeake* proclamation, he was treated with deference and assured that the President was prepared to comply, if he could do so without incurring the charge of inconsistency and disregard of national honor. Madison proposed to put a proclamation of recall in Rose's hands, duly signed by the President and dated so as to correspond with the day on which all differences should be adjusted. Rose consented to this course and the proclamation was delivered into his hands. He then divulged little by little his further instructions,

which were such as no self-respecting administration could listen to with composure. Canning demanded a formal disavowal of Commodore Barron's conduct in encouraging deserters from His Majesty's service and harboring them on board his ship. "You will state," read Rose's instructions, "that such disavowals, solemnly expressed, would afford to His Majesty a satisfactory pledge on the part of the American Government that the recurrence of similar causes will not on any occasion impose on His Majesty the necessity of authorizing those means of force to which Admiral Berkeley has resorted without authority, but which the continued repetition of such provocations as unfortunately led to the attack upon the *Chesapeake* might render necessary, as a just reprisal on the part of His Majesty." No doubt Rose did his best to soften the tone of these instructions, but he could not fail to make them clear; and Madison, who had conducted these informal interviews, slowly awoke to the real nature of what he was asked to do. He closed further negotiations with the comment that the United States could not be expected "to make, as it were, an expiatory sacrifice to obtain redress, or beg for reparation." The Administration determined to let the disavowal of Berkeley suffice for

the present and to allow the matter of reparation to await further developments. The coercive policy on which the Administration had now launched would, it was confidently believed, bring His Majesty's Government to terms.

The very suggestion of an embargo had an unexpected effect upon American shipmasters. To avoid being shut up in port fleets of ships put out to sea, half-manned, half-laden, and often without clearance papers. With freight rates soaring to unheard-of altitudes, ship-owners were willing to assume all the risks of the sea — British frigates included. So little did they appreciate the protection offered by a benevolent government that they assumed an attitude of hostility to authority and evaded the exactions of the law in every conceivable way. Under guise of engaging in the coasting trade, many a ship landed her cargo in a foreign port; a brisk traffic also sprang up across the Canadian border; and Amelia Island in St. Mary's River, Florida, became a notorious mart for illicit commerce. Almost at once Congress was forced to pass supplementary acts, conferring upon collectors of ports powers of inspection and regulation which Gallatin unhesitatingly pronounced both odious and dangerous. The President affixed his signature

ruefully to acts which increased the army, multiplied the number of gunboats under construction, and appropriated a million and a quarter dollars to the construction of coast defenses and the equipment of militia. "This embargo act," he confessed, "is certainly the most embarrassing we ever had to execute. I did not expect a crop of so sudden and rank growth of fraud and open opposition by force could have grown up in the United States."

The worst feature of the experiment was its ineffectiveness. The inhibition of commerce had so slight an effect upon England that when Pinkney approached Canning with the proposal of a *quid pro quo* — the United States to rescind the embargo, England to revoke her orders-in-council — he was told with biting sarcasm that "if it were possible to make any sacrifice for the repeal of the embargo without appearing to deprecate it as a measure of hostility, he would gladly have facilitated its removal *as a measure of inconvenient restriction upon the American people*." By licensing American vessels, indeed, which had either slipped out of port before the embargo or evaded the collectors, the British Government was even profiting by this measure of restriction. It was these vagrant vessels which gave Napoleon his excuse for the Bayonne

decree of April 17, 1808, when with a stroke of the pen he ordered the seizure of all American ships in French ports and swept property to the value of ten million dollars into the imperial exchequer. Since these vessels were abroad in violation of the embargo, he argued, they could not be American craft but must be British ships in disguise. General Armstrong, writing from Paris, warned the Secretary of State not to expect that the embargo would do more than keep the United States at peace with the belligerents. As a coercive measure, its effect was nil. "Here it is not felt, and in England . . . it is forgotten."

Before the end of the year the failure of the embargo was patent to every fair-minded observer. Men might differ ever so much as to the harm wrought by the embargo abroad; but all agreed that it was not bringing either France or England to terms, and that it was working real hardship at home. Federalists in New England, where nearly one-third of the ships in the carrying trade were owned, pointed to the schooners "rotting at their wharves," to the empty shipyards and warehouses, to the idle sailors wandering in the streets of port towns, and asked passionately how long they must be sacrificed to the theories of this charlatan in the White

House. Even Southern Republicans were asking uneasily when the President would realize that the embargo was ruining planters who could not market their cotton and tobacco. And Republicans whose pockets were not touched were soberly questioning whether a policy that reduced the annual value of exports from $108,000,000 to $22,000,000, and cut the national revenue in half, had not been tested long enough.

Indications multiplied that "the dictatorship of Mr. Jefferson" was drawing to a close. In 1808, after the election of Madison as his successor, he practically abdicated as leader of his party, partly out of an honest conviction that he ought not to commit the President-elect by any positive course of action, and partly no doubt out of a less praiseworthy desire not to admit the defeat of his cherished principle. His abdication left the party without resolute leadership at a critical moment. Madison and Gallatin tried to persuade their party associates to continue the embargo until June, and then, if concessions were not forthcoming, to declare war; but they were powerless to hold the Republican majority together on this programme. Setting aside the embargo and returning to the earlier policy of non-intercourse, Congress adopted a measure

which excluded all English and French vessels and imports, but which authorized the President to renew trade with either country if it should mend its ways. On March 1, 1809, with much bitterness of spirit, Thomas Jefferson signed the bill which ended his great experiment. Martha Jefferson once said of her father that he never gave up a friend or an opinion. A few months before his death, he alluded to the embargo, with the pathetic insistence of old age, as "a measure, which, persevered in a little longer . . . would have effected its object completely."

CHAPTER IX

THE LAST PHASE OF PEACEABLE COERCION

THREE days after Jefferson gave his consent to the repeal of the embargo, the Presidency passed in succession to the second of the Virginia Dynasty. It was not an impressive figure that stood beside Jefferson and faced the great crowd gathered in the new Hall of Representatives at the Capitol. James Madison was a pale, extremely nervous, and obviously unhappy person on this occasion. For a masterful character this would have been the day of days; for Madison it was a fearful ordeal which sapped every ounce of energy. He trembled violently as he began to speak and his voice was almost inaudible. Those who could not hear him but who afterward read the Inaugural Address doubtless comforted themselves with the reflection that they had not missed much. The new President, indeed, had nothing new to say — no new policy to advocate. He could only repeat the old platitudes

about preferring "amicable discussion and reasonable accommodation of differences to a decision of them by an appeal to arms." Evidently, no strong assertion of national rights was to be expected from this plain, homespun President.

At the Inaugural Ball, however, people forgot their President in admiration of the President's wife, Dolly Madison. "She looked a queen," wrote Mrs. Margaret Bayard Smith. "She had on a pale buff-colored velvet, made plain, with a very long train, but not the least trimming, and beautiful pearl necklace, earings, and bracelets. Her head dress was a turban of the same colored velvet and white satin (from Paris) with two superb plumes, the bird of paradise feathers. It would be *absolutely impossible* for any one to behave with more perfect propriety than she did. Unassuming dignity, sweetness, grace. Mr. Madison, on the contrary," continued this same warm-hearted observer, "seemed spiritless and exhausted. While he was standing by me, I said, 'I wish with all my heart I had a little bit of seat to offer you.' 'I wish so too,' said he, with a most woe-begone face, and looking as if he could hardly stand. The managers came up to ask him to stay to supper, he assented, and turning to me, 'but I would much rather be in bed,' he said."

Quite different was Mr. Jefferson on this occasion. He seemed to be in high spirits and "his countenance beamed with a benevolent joy." It seemed to this ardent admirer that "every demonstration of respect to Mr. M. gave Mr. J. more pleasure than if paid to himself." No wonder that Mr. Jefferson was in good spirits. Was he not now free from all the anxieties and worries of politics? Already he was counting on retiring "to the elysium of domestic affections and the irresponsible direction" of his own affairs. A week later he set out for Monticello on horseback, never again to set foot in the city which had witnessed his triumph and his humiliation.

The election of Madison had disclosed wide rifts in his party. Monroe had lent himself to the designs of John Randolph and had entered the list of candidates for the Presidency; and Vice-President Clinton had also been put forward by other malcontents. It was this division in the ranks of the opposition which in the end had insured Madison's election; but factional differences pursued Madison into the White House. Even in the choice of his official family he was forced to consider the preferences of politicians whom he despised, for when he would have appointed Gallatin Secretary of State,

he found Giles of Virginia and Samuel Smith of Maryland bent upon defeating the nomination. The Smith faction was, indeed, too influential to be ignored; with a wry face Madison stooped to a bargain which left Gallatin at the head of the Treasury but which saddled his Administration with Robert Smith, who proved to be quite unequal to the exacting duties of the Department of State.

The Administration began with what appeared to be a great diplomatic triumph. In April the President issued a proclamation announcing that the British orders-in-council would be withdrawn on the 10th of June, after which date commerce with Great Britain might be renewed. In the newspapers appeared, with this welcome proclamation, a note drafted by the British Minister Erskine expressing the confident hope that all differences between the two countries would be adjusted by a special envoy whom His Majesty had determined to send to the United States. The Republican press was jubilant. At last the sage of Monticello was vindicated. "It may be boldly alleged," said the *National Intelligencer*, "that the revocation of the British orders is attributable to the embargo."

Forgotten now were all the grievances against

Great Britain. Every shipping port awoke to new life. Merchants hastened to consign the merchandise long stored in their warehouses; shipmasters sent out runners for crews; and ships were soon winging their way out into the open sea. For three months American vessels crossed the ocean unmolested, and then came the bitter, the incomprehensible news that Erskine's arrangement had been repudiated and the over-zealous diplomat recalled. The one brief moment of triumph in Madison's administration had passed.

Slowly and painfully the public learned the truth. Erskine had exceeded his instructions. Canning had not been averse to concessions, it is true, but he had named as an indispensable condition of any concession that the United States should bind itself to exclude French ships of war from its ports. Instead of holding to the letter of his instructions, Erskine had allowed himself to be governed by the spirit of concession and had ignored the essential prerequisite. Nothing remained but to renew the Non-Intercourse Act against Great Britain. This the President did by proclamation on August 9, 1809, and the country settled back sullenly into commercial inactivity.

Another scarcely less futile chapter in diplomacy

began with the arrival of Francis James Jackson as British Minister in September. Those who knew this Briton were justified in concluding that conciliation had no important place in the programme of the Foreign Office, for it was he who, two years before, had conducted those negotiations with Denmark which culminated in the bombardment and destruction of Copenhagen. "It is rather a prevailing notion here," wrote Pinkney from London, "that this gentleman's conduct will not and cannot be what we all wish." And this impression was so fully shared by Madison that he would not hasten his departure from Montpelier but left Jackson to his own devices at the capital for a full month.

This interval of enforced inactivity had one unhappy consequence. Not finding employment for all his idle hours, Jackson set himself to read the correspondence of his predecessor, and from it he drew the conclusion that Erskine was a greater fool than he had thought possible, and that the American Government had been allowed to use language of which "every third word was a declaration of war." The further he read the greater his ire, so that when the President arrived in Washington (October 1), Jackson was fully resolved to let the American Government know what was due to a

British Minister who had had audiences "with most of the sovereigns of Europe."

Though neither the President nor Gallatin, to whose mature judgment he constantly turned, believed that Jackson had any proposals to make, they were willing to let Robert Smith carry on informal conversations with him. It speedily appeared that so far from making overtures, Jackson was disposed to await proposals. The President then instructed the Secretary of State to announce that further discussions would be "in the written form" and henceforth himself took direct charge of negotiations. The exchange of letters which followed reveals Madison at his best. His rapier-like thrusts soon pierced even the thick hide of this conceited Englishman. The stupid Smith who signed these letters appeared to be no mean adversary after all.

In one of his rejoinders the British Minister yielded to a flash of temper and insinuated (as Canning in his instructions had done) that the American Government had known Erskine's instructions and had encouraged him to set them aside — had connived in short at his wrongdoing. "Such insinuations," replied Madison sharply, "are inadmissible in the intercourse of a foreign

minister with a government that understands what it owes itself." "You will find that in my correspondence with you," wrote Jackson angrily, "I have carefully avoided drawing conclusions that did not necessarily follow from the premises advanced by me, and least of all should I think of uttering an insinuation where I was unable to substantiate a fact." A fatal outburst of temper which delivered the writer into the hands of his adversary. "Sir," wrote the President, still using the pen of his docile secretary, "finding that you have used a language which cannot be understood but as reiterating and even aggravating the same gross insinuation, it only remains, in order to preclude opportunities which are thus abused, to inform you that no further communications will be received from you." Therewith terminated the American mission of Francis James Jackson.

Following this diplomatic episode, Congress again sought a way of escape from the consequences of total non-intercourse. It finally enacted a bill known as Macon's Bill No. 2, which in a sense reversed the former policy, since it left commerce everywhere free, and authorized the President, "in case either Great Britain or France shall, before the

3d day of March next, so revoke or modify her edicts as that they shall cease to violate the neutral commerce of the United States," to cut off trade with the nation which continued to offend. The act thus gave the President an immense discretionary power which might bring the country face to face with war. It was the last act in that extraordinary series of restrictive measures which began with the Non-Intercourse Act of 1806. The policy of peaceful coercion entered on its last phase.

And now, once again, the shadow of the Corsican fell across the seas. With the unerring shrewdness of an intellect never vexed by ethical considerations, Napoleon announced that he would meet the desires of the American Government. "I am authorized to declare to you, Sir," wrote the Duc de Cadore, Minister of Foreign Affairs, to Armstrong, "that the Decrees of Berlin and Milan are revoked, and that after November 1 they will cease to have effect — it being understood that in consequence of this declaration the English are to revoke their Orders-in-Council, and renounce the new principles of blockade which they have wished to establish; or that the United States, conformably to the Act you have just communicated [the Macon Act], cause their rights to be respected by the English."

It might be supposed that President Madison, knowing with whom he had to deal, would have hesitated to accept Napoleon's asseverations at their face value. He had, indeed, no assurances beyond Cadore's letter that the French decrees had been repealed. But he could not let slip this opportunity to force Great Britain's hand. It seemed to be a last chance to test the effectiveness of peaceable coercion. On November 2, 1810, he issued the momentous proclamation which eventually made Great Britain rather than France the object of attack. "It has been officially made known to this government," said the President, "that the said edicts of France have been so revoked as that they ceased, on the first day of the present month, to violate the neutral commerce of the United States." Thereupon the Secretary of the Treasury instructed collectors of customs that commercial intercourse with Great Britain would be suspended after the 2d of February of the following year.

The next three months were full of painful experiences for President Madison. He waited, and waited in vain, for authentic news of the formal repeal of the French decrees; and while he waited, he was distressed and amazed to learn that American

vessels were still being confiscated in French ports. In the midst of these uncertainties occurred the biennial congressional elections, the outcome of which only deepened his perplexities. Nearly one-half of those who sat in the existing Congress failed of reëlection, yet, by a vicious custom, the new House, which presumably reflected the popular mood in 1810, would not meet for thirteen months, while the old discredited Congress wearily dragged out its existence in a last session. Vigorous presidential leadership, it is true, might have saved the expiring Congress from the reproach of incapacity, but such leadership was not to be expected from James Madison.

So it was that the President's message to this moribund Congress was simply a counsel of prudence and patience. It pointed out, to be sure, the uncertainties of the situation, but it did not summon Congress sternly to face the alternatives. It alluded mildly to the need of a continuance of our defensive and precautionary arrangements, and suggested further organization and training of the militia; it contemplated with satisfaction the improvement of the quantity and quality of the output of cannon and small arms; it set the seal of the President's approval upon the new military

academy; but nowhere did it sound a trumpet-call to real preparedness.

Even to these mild suggestions Congress responded indifferently. It slightly increased the naval appropriations, but it actually reduced the appropriations for the army; and it adjourned without acting on the bill authorizing the President to enroll fifty thousand volunteers. Personal animosity and prejudice combined to defeat the proposals of the Secretary of the Treasury. A bill to recharter the national bank, which Gallatin regarded as an indispensable fiscal agent, was defeated; and a bill providing for a general increase of duties on imports to meet the deficit was laid aside. Congress would authorize a loan of five million dollars but no new taxes. Only one bill was enacted which could be said to sustain the President's policy — that reviving certain parts of the Non-Intercourse Act of 1809 against Great Britain. With this last helpless gasp the Eleventh Congress expired.

The defeat of measures which the Administration had made its own amounted to a vote of no confidence. Under similar circumstances an English Ministry would have either resigned or tested the

sentiment of the country by a general election; but the American Executive possesses no such means of appealing immediately and directly to the electorate. President and Congress must live out their allotted terms of office, even though their antagonism paralyzes the operation of government. What, then, could be done to restore confidence in the Administration of President Madison and to establish a *modus vivendi* between Executive and Legislative?

It seemed to the Secretary of Treasury, smarting under the defeat of his bank bill, that he had become a burden to the Administration, an obstacle in the way of cordial coöperation between the branches of the Federal Government. The factions which had defeated his appointment to the Department of State seemed bent upon discrediting him and his policies. "I clearly perceive," he wrote to the President, "that my continuing a member of the present Administration is no longer of any public utility, invigorates the opposition against yourself, and must necessarily be attended with an increased loss of reputation by myself. Under those impressions, not without reluctance, and after perhaps hesitating too long in the hopes of a favorable change, I beg leave to tender you my resignation."

This timely letter probably saved the Administration. Not for an instant could the President consider sacrificing the man who for ten years had been the mainstay of Republican power. Madison acted with unwonted promptitude. He refused to accept Gallatin's resignation, and determined to break once and for all with the faction which had hounded Gallatin from the day of his appointment and which had foisted upon the President an unwelcome Secretary of State. Not Gallatin but Robert Smith should go. Still more surprising was Madison's quick decision to name Monroe as Smith's successor, if he could be prevailed upon to accept. Both Virginians understood the deeper personal and political significance of this appointment. Madison sought an alliance with a faction which had challenged his administrative policy; Monroe inferred that no opposition would be interposed to his eventual elevation to the Presidency when Madison should retire. What neither for the moment understood was the effect which the appointment would have upon the foreign policy of the Administration. Monroe hesitated, for he and his friends had been open critics of the President's pro-French policy. Was the new Secretary of State to be bound by this policy, or was the

President prepared to reverse his course and effect a reconciliation with England?

These very natural misgivings the President brushed aside by assuring Monroe's friends that he was very hopeful of settling all differences with both France and England. Certainly he had in no wise committed himself to a course which would prevent a renewal of negotiations with England; he had always desired "a cordial accommodation." Thus reassured, Monroe accepted the invitation, never once doubting that he would reverse the policy of the Administration, achieve a diplomatic triumph, and so appear as the logical successor to President Madison.

Had the new Secretary of State known the instructions which the British Foreign Office was drafting at this moment for Mr. Augustus J. Foster, Jackson's successor, he would have been less sanguine. This "very gentlemanlike young man," as Jackson called him, was told to make some slight concessions to American sentiment — he might make proper amends for the *Chesapeake* affair — but on the crucial matter of the French decrees he was bidden to hold rigidly to the uncompromising position taken by the Foreign Office from the beginning — that the President was mistaken in

thinking that they had been repealed. The British Government could not modify its orders-in-council on unsubstantiated rumors that the offensive French decrees had been revoked. Secretly Foster was informed that the Ministry was prepared to retaliate if the American Government persisted in shutting out British importations. No one in the Ministry, or for that matter in the British Isles, seems to have understood that the moment had come for concession and not retaliation, if peaceful relations were to continue.

It was most unfortunate that while Foster was on his way to the United States, British cruisers should have renewed the blockade of New York. Two frigates, the *Melampus* and the *Guerrière*, lay off Sandy Hook and resumed the old irritating practice of holding up American vessels and searching them for deserters. In the existing state of American feeling, with the *Chesapeake* outrage still unredressed, the behavior of the British commanders was as perilous as walking through a powder magazine with a live coal. The American navy had suffered severely from Jefferson's "chaste reformation" but it had not lost its fighting spirit. Officers who had served in the war with Tripoli prayed for a

fair chance to avenge the *Chesapeake;* and the Secretary of the Navy had abetted this spirit in his orders to Commodore John Rodgers, who was patrolling the coast with a squadron of frigates and sloops. "What has been perpetrated," Rodgers was warned, "may be again attempted. It is therefore our duty to be prepared and determined at every hazard to vindicate the injured honor of our navy, and revive the drooping spirit of the nation."

Under the circumstances it would have been little short of a miracle if an explosion had not occurred; yet for a year Rodgers sailed up and down the coast without encountering the British frigates. On May 16, 1811, however, Rodgers in his frigate, the *President,* sighted a suspicious vessel some fifty miles off Cape Henry. From her general appearance he judged her to be a man-of-war and probably the *Guerrière.* He decided to approach her, he relates, in order to ascertain whether a certain seaman alleged to have been impressed was aboard; but the vessel made off and he gave chase. By dusk the two ships were abreast. Exactly what then happened will probably never be known, but all accounts agree that a shot was fired and that a general engagement followed. Within fifteen minutes the strange vessel was disabled and lay

helpless under the guns of the *President*, with nine of her crew dead and twenty-three wounded. Then, to his intense disappointment, Rodgers learned that his adversary was not the *Guerrière* but the British sloop of war *Little Belt*, a craft greatly inferior to his own.

However little this one-sided sea fight may have salved the pride of the American navy, it gave huge satisfaction to the general public. The *Chesapeake* was avenged. When Foster disembarked he found little interest in the reparations which he was charged to offer. He had been prepared to settle a grievance in a good-natured way; he now felt himself obliged to demand explanations. The boot was on the other leg; and the American public lost none of the humor of the situation. Eventually he offered to disavow Admiral Berkeley's act, to restore the seamen taken from the *Chesapeake*, and to compensate them and their families. In the course of time the two unfortunates who had survived were brought from their prison at Halifax and restored to the decks of the *Chesapeake* in Boston Harbor. But as for the *Little Belt*, Foster had to rest content with the findings of an American court of inquiry which held that the British sloop had fired the first shot.

As yet there were no visible signs that Monroe had effected a change in the foreign policy of the Administration, though he had given the President a momentary advantage over the opposition. Another crisis was fast approaching. When Congress met a month earlier than usual, pursuant to the call of the President, the leadership passed from the Administration to a group of men who had lost all faith in commercial restrictions as a weapon of defense against foreign aggression.

CHAPTER X

THE WAR-HAWKS

Among the many unsolved problems which Jefferson bequeathed to his successor in office was that of the southern frontier. Running like a shuttle through the warp of his foreign policy had been his persistent desire to acquire possession of the Spanish Floridas. This dominant desire, amounting almost to a passion, had mastered even his better judgment and had created dilemmas from which he did not escape without the imputation of duplicity. On his retirement he announced that he was leaving all these concerns "to be settled by my friend, Mr. Madison," yet he could not resist the desire to direct the course of his successor. Scarcely a month after he left office he wrote, "I suppose the conquest of Spain will soon force a delicate question on you as to the Floridas and Cuba, which will offer themselves to you. Napoleon will certainly give his consent without difficulty to our

receiving the Floridas, and with some difficulty possibly Cuba."

In one respect Jefferson's intuition was correct. The attempt of Napoleon to subdue Spain and to seat his brother Joseph once again on the throne of Ferdinand VII was a turning point in the history of the Spanish colonies in America. One by one they rose in revolt and established revolutionary juntas either in the name of their deposed King or in professed coöperation with the insurrectionary government which was resisting the invader. Events proved that independence was the inevitable issue of all these uprisings from the Rio de la Plata to the Rio Grande.

In common with other Spanish provinces, West Florida felt the impact of this revolutionary spirit, but it lacked natural unity and a dominant Spanish population. The province was in fact merely a strip of coast extending from the Perdido River to the Mississippi, indented with bays into which great rivers from the north discharged their turgid waters. Along these bays and rivers were scattered the inhabitants, numbering less than one hundred thousand, of whom a considerable portion had come from the States. There, as always on the frontier, land had been a lodestone attracting both the

speculator and the homeseeker. In the parishes of West Feliciana and Baton Rouge, in the alluvial bottoms of the Mississippi, and in the settlements around Mobile Bay, American settlers predominated, submitting with ill grace to the exactions of Spanish officials who were believed to be as corrupt as they were inefficient.

If events had been allowed to take their natural course, West Florida would in all probability have fallen into the arms of the United States as Texas did three decades later. But the Virginia Presidents were too ardent suitors to await the slow progress of events; they meant to assist destiny. To this end President Jefferson had employed General Wilkinson, with indifferent success. President Madison found more trustworthy agents in Governor Claiborne of New Orleans and Governor Holmes of Mississippi, whose letters reveal the extent to which Madison was willing to meddle with destiny. "Nature had decreed the union of Florida with the United States," Claiborne affirmed; but he was not so sure that nature could be left to execute her own decrees, for he strained every nerve to prepare the way for American intervention when the people of West Florida should declare themselves free from Spain. Holmes also was instructed

to prepare for this eventuality and to coöperate with Claiborne in West Florida "in diffusing the impressions we wish to be made there."

The anticipated insurrection came off just when and where nature had decreed. In the summer of 1810 a so-called "movement for self-government" started at Bayou Sara and at Baton Rouge, where nine-tenths of the inhabitants were Americans. The leaders took pains to assure the Spanish Commandant that their motives were unimpeachable: nothing should be done which would in any wise conflict with the authority of their "loved and worthy sovereign, Don Ferdinand VII." They wished to relieve the people of the abuses under which they were suffering, but all should be done in the name of the King. The Commandant, De Lassus, was not without his suspicions of these patriotic gentlemen but he allowed himself to be swept along in the current. The several movements finally coalesced on the 25th of July in a convention near Baton Rouge, which declared itself "legally constituted to act in all cases of national concern . . . with the consent of the governor" and professed a desire "to promote the safety, honor, and happiness of our beloved king" as well as to rectify abuses in the province. It adjourned

with the familiar Spanish salutation which must have sounded ironical to the helpless De Lassus, "May God preserve you many years!" Were these pious professions farcical? Or were they the sincere utterances of men who, like the patriots of 1776, were driven by the march of events out of an attitude of traditional loyalty to the King into open defiance of his authority?

The Commandant was thus thrust into a position where his every movement would be watched with distrust. The pretext for further action was soon given. An intercepted letter revealed that De Lassus had written to Governor Folch for an armed force. That "act of perfidy" was enough to dissolve the bond between the convention and the Commandant. On the 23d of September, under cover of night, an armed force shouting "Hurrah! Washington!" overpowered the garrison of the fort at Baton Rouge, and three days later the convention declared the independence of West Florida, "appealing to the Supreme Ruler of the World" for the rectitude of their intentions. What their intentions were is clear enough. Before the ink was dry on their declaration of independence, they wrote to the Administration at Washington, asking for the immediate incorporation of West Florida into the Union.

Here was the blessed consummation of years of diplomacy near at hand. President Madison had only to reach out his hand and pluck the ripe fruit; yet he hesitated from constitutional scruples. Where was the authority which warranted the use of the army and navy to hold territory beyond the bounds of the United States? Would not intervention, indeed, be equivalent to an unprovoked attack on Spain, a declaration of war? He set forth his doubts in a letter to Jefferson and hinted at the danger which in the end was to resolve all his doubts. Was there not grave danger that West Florida would pass into the hands of a third and dangerous party? The conduct of Great Britain showed a propensity to fish in troubled waters.

On the 27th of October, President Madison issued a proclamation authorizing Governor Claiborne to take possession of West Florida and to govern it as part of the Orleans Territory. He justified his action, which had no precedent in American diplomacy, by reasoning which was valid only if his fundamental premise was accepted. West Florida, he repeated, as a part of the Louisiana purchase belonged to the United States; but without abandoning its claim, the United States had hitherto suffered Spain to continue in possession,

looking forward to a satisfactory adjustment by friendly negotiation. A crisis had arrived, however, which had subverted Spanish authority; and the failure of the United States to take the territory would threaten the interests of all parties and seriously disturb the tranquillity of the adjoining territories. In the hands of the United States, West Florida would "not cease to be a subject of fair and friendly negotiation." In his annual message President Madison spoke of the people of West Florida as having been "brought into the bosom of the American family," and two days later Governor Claiborne formally took possession of the country to the Pearl River. How territory which had thus been incorporated could still remain a subject of fair negotiation does not clearly appear, except on the supposition that Spain would go through the forms of a negotiation which could have but one outcome.

The enemies of the Administration seized eagerly upon the flaws in the President's logic, and pressed his defenders sorely in the closing session of the Eleventh Congress. Conspicuous among the champions of the Administration was young Henry Clay, then serving out the term of Senator Thurston of Kentucky who had resigned his office. This

eloquent young lawyer, now in his thirty-third year, had been born and bred in the Old Dominion — a typical instance of the American boy who had nothing but his own head and hands wherewith to make his way in the world. He had a slender schooling, a much-abbreviated law education in a lawyer's office, and little enough of that intellectual discipline needed for leadership at the bar; yet he had a clever wit, an engaging personality, and a rare facility in speaking, and he capitalized these assets. He was practising law in Lexington, Kentucky, when he was appointed to the Senate.

What this persuasive Westerner had to say on the American title to West Florida was neither new nor convincing; but what he advocated as an American policy was both bold and challenging. "The eternal principles of self preservation" justified in his mind the occupation of West Florida, irrespective of any title. With Cuba and Florida in the possession of a foreign maritime power, the immense extent of country watered by streams entering the Gulf would be placed at the mercy of that power. Neglect the proffered boon and some nation profiting by this error would seize this southern frontier. It had been intimated that Great Britain

might take sides with Spain to resist the occupation of Florida. To this covert threat Clay replied,

Sir, is the time never to arrive, when we may manage our own affairs without the fear of insulting his Britannic Majesty? Is the rod of British power to be forever suspended over our heads? Does the President refuse to continue a correspondence with a minister, who violates the decorum belonging to his diplomatic character, by giving and deliberately repeating an affront to the whole nation? We are instantly menaced with the chastisement which English pride will not fail to inflict. Whether we assert our rights by sea, or attempt their maintenance by land — whithersoever we turn ourselves, this phantom incessantly pursues us. Already has it had too much influence on the councils of the nation. It contributed to the repeal of the embargo — that dishonorable repeal, which has so much tarnished the character of our government. Mr. President, I have before said on this floor, and now take occasion to remark, that I most sincerely desire peace and amity with England; that I even prefer an adjustment of all differences with her, before one with any other nation. But if she persists in a denial of justice to us, or if she avails herself of the occupation of West Florida, to commence war upon us, I trust and hope that all hearts will unite, in a bold and vigorous vindication of our rights.

I am not, sir, in favour of cherishing the passion of conquest. But I must be permitted, in conclusion, to indulge the hope of seeing, ere long, the *new* United States (if you will allow me the expression) embracing,

not only the old thirteen States, but the entire country east of the Mississippi, including East Florida, and some of the territories of the north of us also.

Conquest was not a familiar word in the vocabulary of James Madison, and he may well have prayed to be delivered from the hands of his friends, if this was to be the keynote of their defense of his policy in West Florida. Nevertheless, he was impelled in spite of himself in the direction of Clay's vision. If West Florida in the hands of an unfriendly power was a menace to the southern frontier, East Florida from the Perdido to the ocean was not less so. By the 3d of January, 1811, he was prepared to recommend secretly to Congress that he should be authorized to take temporary possession of East Florida, in case the local authorities should consent or a foreign power should attempt to occupy it. And Congress came promptly to his aid with the desired authorization.

Twelve months had now passed since the people of the several States had expressed a judgment at the polls by electing a new Congress. The Twelfth Congress was indeed new in more senses than one. Some seventy representatives took their seats for the first time, and fully half of the familiar faces

were missing. Its first and most significant act, betraying a new spirit, was the choice as Speaker of Henry Clay, who had exchanged his seat in the Senate for the more stirring arena of the House. In all the history of the House there is only one other instance of the choice of a new member as Speaker. It was not merely a personal tribute to Clay but an endorsement of the forward-looking policy which he had so vigorously championed in the Senate. The temper of the House was bold and aggressive, and it saw its mood reflected in the mobile face of the young Kentuckian.

The Speaker of the House had hitherto followed English traditions, choosing rather to stand as an impartial moderator than to act as a legislative leader. For British traditions of any sort Clay had little respect. He was resolved to be the leader of the House, and if necessary to join his privileges as Speaker to his rights as a member, in order to shape the policies of Congress. Almost his first act as Speaker was to appoint to important committees those who shared his impatience with commercial restrictions as a means of coercing Great Britain. On the Committee on Foreign Relations — second to none in importance at this moment — he placed Peter B. Porter of New York, young John C.

Calhoun of South Carolina, and Felix Grundy of Tennessee; the chairmanship of the Committee on Naval Affairs he gave to Langdon Cheves of South Carolina; and the chairmanship of the Committee on Military Affairs, to another South Carolinian, David Williams. There was nothing fortuitous in this selection of representatives from the South and Southwest for important committee posts. Like Clay himself, these young intrepid spirits were solicitous about the southern frontier — about the ultimate disposal of the Floridas; like Clay, they had lost faith in temporizing policies; like Clay, they were prepared for battle with the old adversary if necessary.

In the President's message of November 5, 1811, there was just one passage which suited the mood of this group of younger Republicans. After a recital of injuries at the hands of the British ministry, Madison wrote with unwonted vigor: "With this evidence of hostile inflexibility in trampling on rights which no independent nation can relinquish Congress will feel the duty of putting the United States into an armor and an attitude demanded by the crisis; and corresponding with the national spirit and expectations." It was this part of the message which the Committee on Foreign Relations

took for the text of its report. The time had arrived, in the opinion of the committee, when forbearance ceased to be a virtue and when Congress must as a sacred duty "call forth the patriotism and resources of the country." Nor did the committee hesitate to point out the immediate steps to be taken if the country were to be put into a state of preparedness. Let the ranks of the regular army be filled and ten regiments added; let the President call for fifty thousand volunteers; let all available war-vessels be put in commission; and let merchant vessels arm in their own defense.

If these recommendations were translated into acts, they would carry the country appreciably nearer war; but the members of the committee were not inclined to shrink from the consequences. To a man they agreed that war was preferable to inglorious submission to continued outrages, and that the outcome of war would be positively advantageous. Porter, who represented the westernmost district of a State profoundly interested in the northern frontier, doubted not that Great Britain could be despoiled of her extensive provinces along the borders to the North. Grundy, speaking for the Southwest, contemplated with satisfaction the time when the British would be driven from the

continent. "I feel anxious," he concluded, "not only to add the Floridas to the South, but the Canadas to the North of this Empire." Others, like Calhoun, who now made his entrance as a debater, refused to entertain these mercenary calculations. "Sir," exclaimed Calhoun, his deep-set eyes flashing, "I only know of one principle to make a nation great, to produce in this country not the form but the real spirit of union, and that is, to protect every citizen in the lawful pursuit of his business. . . . Protection and patriotism are reciprocal."

But these young Republicans marched faster than the rank and file. Not so lightly were Jeffersonian traditions to be thrown aside. The old Republican prejudice against standing armies and seagoing navies still survived. Four weary months of discussion produced only two measures of military importance, one of which provided for the addition to the army of twenty-five thousand men enlisted for five years, and the other for the calling into service of fifty thousand state militia. The proposal of the naval committee to appropriate seven and a half million dollars to build a new navy was voted down; Gallatin's urgent appeal for new taxes fell upon deaf ears; and Congress proposed to meet the new military expenditure

by the dubious expedient of a loan of eleven million dollars.

A hesitation which seemed fatal paralyzed all branches of the Federal Government in the spring months. Congress was obviously reluctant to follow the lead of the radicals who clamored for war with Great Britain. The President was unwilling to recommend a declaration of war, though all evidence points to the conclusion that he and his advisers believed war inevitable. The nation was divided in sentiment, the Federalists insisting with some plausibility that France was as great an offender as Great Britain and pointing to the recent captures of American merchantmen by French cruisers as evidence that the decrees had not been repealed. Even the President was impressed by these unfriendly acts and soberly discussed with his mentor at Monticello the possibility of war with both France and England. There was a moment in March, indeed, when he was disposed to listen to moderate Republicans who advised him to send a special mission to England as a last chance.

What were the considerations which fixed the mind of the nation and of Congress upon war with Great Britain? Merely to catalogue the accumulated grievances of a decade does not suffice.

Nations do not arrive at decisions by mathematical computation of injuries received, but rather because of a sense of accumulated wrongs which may or may not be measured by losses in life and property. And this sense of wrongs is the more acute in proportion to the racial propinquity of the offender. The most bitter of all feuds are those between peoples of the same blood. It was just because the mother country from which Americans had won their independence was now denying the fruits of that independence that she became the object of attack. In two particulars was Great Britain offending and France not. The racial differences between French and American seamen were too conspicuous to countenance impressment into the navy of Napoleon. No injuries at the hands of France bore any similarity to the *Chesapeake* outrage. Nor did France menace the frontier and the frontier folk of the United States by collusion with the Indians.

To suppose that the settlers beyond the Alleghanies were eager to fight Great Britain solely for "free trade and sailors' rights" is to assume a stronger consciousness of national unity than existed anywhere in the United States at this time. These western pioneers had stronger and more

immediate motives for a reckoning with the old adversary. Their occupation of the Northwest had been hindered at every turn by the red man, who, they believed, had been sustained in his resistance directly by British traders and indirectly by the British Government. Documents now abundantly prove that the suspicion was justified. The key to the early history of the northwestern frontier is the fur trade. It was for this lucrative traffic that England retained so long the western posts which she had agreed to surrender by the Peace of Paris. Out of the region between the Illinois, the Wabash, the Ohio, and Lake Erie, pelts had been shipped year after year to the value annually of some £100,000, in return for the products of British looms and forges. It was the constant aim of the British trader in the Northwest to secure "the exclusive advantages of a valuable trade during Peace and the zealous assistance of brave and useful auxiliaries in time of War." To dispossess the redskin of his lands and to wrest the fur trade from British control was the equally constant desire of every full-blooded Western American. Henry Clay voiced this desire when he exclaimed in the speech already quoted, "The conquest of Canada is in your power. . . . Is it nothing to extinguish

the torch that lights up savage warfare? Is it nothing to acquire the entire fur-trade connected with that country, and to destroy the temptation and opportunity of violating your revenue and other laws?"[1]

The Twelfth Congress had met under the shadow of an impending catastrophe in the Northwest. Reports from all sources pointed to an Indian war of considerable magnitude. Tecumseh and his brother the Prophet had formed an Indian confederacy which was believed to embrace not merely the tribes of the Northwest but also the Creeks and Seminoles of the Gulf region. Persistent rumors strengthened long-nourished suspicions and connected this Indian unrest with the British agents on the Canadian border. In the event of war, so it was said, the British paymasters would let the redskins loose to massacre helpless women and children. Old men retold the outrages of these savage fiends during the War of Independence.

On the 7th of November — three days after the

[1] A memorial of the fur traders of Canada to the Secretary of State for War and Colonies (1814), printed as Appendix N to Davidson's *The North West Company*, throws much light on this obscure feature of Western history. See also an article on "The Insurgents of 1811," in the American Historical Association *Report* (1911) by D. R. Anderson.

assembling of Congress — Governor William Henry Harrison of the Indiana Territory encountered the Indians of Tecumseh's confederation at Tippecanoe and by a costly but decisive victory crushed the hopes of their chieftains. As the news of these events drifted into Washington, it colored perceptibly the minds of those who doubted whether Great Britain or France were the greater offender. Grundy, who had seen three brothers killed by Indians and his mother reduced from opulence to poverty in a single night, spoke passionately of that power which was taking every "opportunity of intriguing with our Indian neighbors and setting on the ruthless savages to tomahawk our women and children." "War," he exclaimed, "is not to commence by sea or land, it is already begun, and some of the richest blood of our country has been shed."

Still the President hesitated to lead. On the 31st of March, to be sure, he suffered Monroe to tell a committee of the House that he thought war should be declared before Congress adjourned and that he was willing to recommend an embargo if Congress would agree; but after an embargo for ninety days had been declared on the 4th of April, he told the British Minister that it was not,

could not be considered, a war measure. He still waited for Congress to shoulder the responsibility of declaring war. Why did he hesitate? Was he aware of the woeful state of unpreparedness everywhere apparent and was he therefore desirous of delay? Some color is given to this excuse by his efforts to persuade Congress to create two assistant secretaryships of war. Or was he conscious of his own inability to play the rôle of War-President?

The personal question which thrust itself upon Madison at this time was, indeed, whether he would have a second term of office. An old story, often told by his detractors, recounts a dramatic incident which is said to have occurred, just as the congressional caucus of the party was about to meet. A committee of Republican Congressmen headed by Mr. Speaker Clay waited upon the President to tell him, that if he wished a renomination, he must agree to recommend a declaration of war. The story has never been corroborated; and the dramatic interview probably never occurred; yet the President knew, as every one knew, that his renomination was possible only with the support of the war party. When he accepted the nomination from the Republican caucus on the 18th of May, he tacitly pledged himself to acquiesce in the plans of

the war-hawks. Some days later an authentic interview did take place between the President and a deputation of Congressmen headed by the Speaker, in the course of which the President was assured of the support of Congress if he would recommend a declaration. Subsequent events point to a complete understanding.

Clay now used all the latent powers of his office to aid the war party. Even John Randolph, ever a thorn in the side of the party, was made to wince. On the 29th of May, Randolph undertook to address the House on the declaration of war which, he had been credibly informed, was imminent. He was called to order by a member because no motion was before the House. He protested that his remarks were prefatory to a motion. The Speaker ruled that he must first make a motion. "My proposition is," responded Randolph sullenly, "that it is not expedient at this time to resort to a war against Great Britain." "Is the motion seconded?" asked the Speaker. Randolph protested that a second was not needed and appealed from the decision of the chair. Then, when the House sustained the Speaker, Randolph, having found a seconder, once more began to address the House. Again he was called to order; the House must first

vote to consider the motion. Randolph was beside himself with rage. The last vestige of liberty of speech was vanishing, he declared. But Clay was imperturbable. The question of consideration was put and lost. Randolph had found his master.

On the 1st of June the President sent to Congress what is usually denominated a war message; yet it contained no positive recommendation of war. "Congress must decide," said the President, "whether the United States shall continue passive" or oppose force to force. Prefaced to this impotent conclusion was a long recital of "progressive usurpations" and "accumulating wrongs" — a recital which had become so familiar in state papers as almost to lose its power to provoke popular resentment. It was significant, however, that the President put in the forefront of his catalogue of wrongs the impressment of American sailors on the high seas. No indignity touched national pride so keenly and none so clearly differentiated Great Britain from France as the national enemy. Almost equally provocative was the harassing of incoming and outgoing vessels by British cruisers which hovered off the coasts and even committed depredations within the territorial jurisdiction of the United States. Pretended blockades without an adequate force

was a third charge against the British Government, and closely connected with it that "sweeping system of blockades, under the name of orders-in-council," against which two Republican Administrations had struggled in vain.

There was in the count not an item, indeed, which could not have been charged against Great Britain in the fall of 1807, when the public clamored for war after the *Chesapeake* outrage. Four long years had been spent in testing the efficacy of commercial restrictions, and the country was if anything less prepared for the alternative. When President Madison penned this message he was, in fact, making public avowal of the breakdown of a great Jeffersonian principle. Peaceful coercion was proved to be an idle dream.

So well advised was the Committee on Foreign Relations to which the President's message was referred that it could present a long report two days later, again reviewing the case against the adversary in great detail. "The contest which is now forced on the United States," it concluded, "is radically a contest for their sovereignty and independency." There was now no other alternative than an immediate appeal to arms. On the same day Calhoun introduced a bill declaring war against

Great Britain; and on the 4th of June in secret session the war party mustered by the Speaker bore down all opposition and carried the bill by a vote of 79 to 49. On the 7th of June the Senate followed the House by the close vote of 19 to 14; and on the following day the President promptly signed the bill which marked the end of an epoch.

It is one of the bitterest ironies in history that just twenty-four hours before war was declared at Washington, the new Ministry at Westminster announced its intention of immediately suspending the orders-in-council. Had President Madison yielded to those moderates who advised him in April to send a minister to England, he might have been apprized of that gradual change in public opinion which was slowly undermining the authority of Spencer Perceval's ministry and commercial system. He had only to wait a little longer to score the greatest diplomatic triumph of his generation; but fate willed otherwise. No ocean cable flashed the news of the abrupt change which followed the tragic assassination of Perceval and the formation of a new ministry. When the slow-moving packets brought the tidings, war had begun.

CHAPTER XI

PRESIDENT MADISON UNDER FIRE

The dire calamity which Jefferson and his colleagues had for ten years bent all their energies to avert had now befallen the young Republic. War, with all its train of attendant evils, stalked upon the stage, and was about to test the hearts of pacifist and war-hawk alike. But nothing marked off the younger Republicans more sharply from the generation to which Jefferson, Madison, and Gallatin belonged than the positive relief with which they hailed this break with Jeffersonian tradition. This attitude was something quite different from the usual intrepidity of youth in the face of danger; it was bottomed upon the conviction which Clay expressed when he answered the question, "What are we to gain by the war?" by saying, "What are we not to lose by peace? Commerce, character, a nation's best treasure, honor!" Calhoun had reached the

same conclusion. The restrictive system as a means of resistance and of obtaining redress for wrongs, he declared to be unsuited to the genius of the American people. It required the most arbitrary laws; it rendered government odious; it bred discontent. War, on the other hand, strengthened the national character, fed the flame of patriotism, and perfected the organization of government. "Sir," he exclaimed, "I would prefer a single victory over the enemy by sea or land to all the good we shall ever derive from the continuation of the non-importation act!" The issue was thus squarely faced: the alternative to peaceable coercion was now to be given a trial.

Scarcely less remarkable was the buoyant spirit with which these young Republicans faced the exigencies of war. Defeat was not to be found in their vocabulary. Clay pictured in fervent rhetoric a victorious army dictating the terms of peace at Quebec or at Halifax; Calhoun scouted the suggestion of unpreparedness, declaring that in four weeks after the declaration of war the whole of Upper and part of Lower Canada would be in our possession; and even soberer patriots believed that the conquest of Canada was only a matter of marching across the frontier to Montreal or

Quebec. But for that matter older heads were not much wiser as prophets of military events. Even Jefferson assured the President that he had never known a war entered into under more favorable auspices, and predicted that Great Britain would surely be stripped of all her possessions on this continent; while Monroe seems to have anticipated a short decisive war terminating in a satisfactory accommodation with England. As for the President, he averred many years later that while he knew the unprepared state of the country, "he esteemed it necessary to throw forward the flag of the country, sure that the people would press onward and defend it."

There is something at once humorous and pathetic in this self-portrait of Madison throwing forward the flag of his country and summoning his legions to follow on. Never was a man called to lead in war who had so little of the martial in his character, and yet so earnest a purpose to rise to the emergency. An observer describes him, the day after war was declared, "visiting in person — a thing never known before — all the offices of the Departments of War and the Navy, stimulating everything in a manner worthy of a little commander-in-chief, with his little round hat and huge

cockade." Stimulation was certainly needed in these two departments as events proved, but attention to petty details which should have been watched by subordinates is not the mark of a great commander. Jefferson afterward consoled Madison for the defeat of his armies by writing: "All you can do is to order — execution must depend on others and failures be imputed to them alone." Jefferson failed to perceive what Madison seems always to have forgotten, that a commander-in-chief who appoints and may remove his subordinates can never escape responsibility for their failures. The President's first duty was not to stimulate the performance of routine in the departments but to make sure of the competence of the executive heads of those departments.

William Eustis of Massachusetts, Secretary of War, was not without some little military experience, having served as a surgeon in the Revolutionary army, but he lacked every qualification for the onerous task before him. Senator Crawford of Georgia wrote to Monroe caustically that Eustis should have been forming general and comprehensive arrangements for the organization of the troops and for the prosecution of campaigns, instead of consuming his time reading advertisements

of petty retailing merchants, to find where he could purchase one hundred shoes or two hundred hats. Of Paul Hamilton, the Secretary of Navy, even less could be expected, for he seems to have had absolutely no experience to qualify him for the post. Senator Crawford intimated that in instructing his naval officers Hamilton impressed upon them the desirability of keeping their superiors supplied with pineapples and other tropical fruits —an ill-natured comment which, true or not, gives us the measure of the man. Both Monroe and Gallatin shared the prevailing estimate of the Secretaries of War and of the Navy and expressed themselves without reserve to Jefferson; but the President with characteristic indecision hesitated to purge his Cabinet of these two incompetents, and for his want of decision he paid dearly.

The President had just left the Capital for his country place at Montpelier toward the end of August, when the news came that General William Hull, who had been ordered to invade Upper Canada and begin the military promenade to Quebec, had surrendered Detroit and his entire army without firing a gun. It was a crushing disaster and a well-deserved rebuke for the Administration, for whether the fault was Hull's or Eustis's,

the President had to shoulder the responsibility. His first thought was to retrieve the defeat by commissioning Monroe to command a fresh army for the capture of Detroit; but this proposal which appealed strongly to Monroe had to be put aside — fortunately for all concerned, for Monroe's desire for military glory was probably not equalled by his capacity as a commander and the western campaign proved incomparably more difficult than wiseacres at Washington imagined.

What was needed, indeed, was not merely able commanders in the field, though they were difficult enough to find. There was much truth in Jefferson's naïve remark to Madison: "The creator has not thought proper to mark those on the forehead who are of the stuff to make good generals. We are first, therefore, to seek them, blindfold, and then let them learn the trade at the expense of great losses." But neither seems to have comprehended that their opposition to military preparedness had caused this dearth of talent and was now forcing the Administration to select blindfold. More pressing even than the need of tacticians was the need of organizers of victory. The utter failure of the Niagara campaign vacated the office of Secretary of War; and with Eustis retired also the

Secretary of the Navy. Monroe took over the duties of the one temporarily, and William Jones, a shipowner of Philadelphia, succeeded Hamilton.

If the President seriously intended to make Monroe Secretary of War and the head of the General Staff, he speedily discovered that he was powerless to do so. The Republican leaders in New York felt too keenly Josiah Quincy's taunt about a despotic Cabinet "composed, to all efficient purposes, of two Virginians and a foreigner" to permit Monroe to absorb two cabinet posts. To appease this jealousy of Virginia, Madison made an appointment which very nearly shipwrecked his Administration: he invited General John Armstrong of New York to become Secretary of War. Whatever may be said of Armstrong's qualifications for the post, his presence in the Cabinet was most inadvisable, for he did not and could not inspire the personal confidence of either Gallatin or Monroe. Once in office, he turned Monroe into a relentless enemy and fairly drove Gallatin out of office in disgust by appointing his old enemy, William Duane, editor of the *Aurora*, to the post of Adjutant-General. "And Armstrong!" — said Dallas who subsequently as Secretary of War knew whereof he spoke — "he was

the devil from the beginning, is now, and ever will be!"

The man of clearest vision in these unhappy months of 1812 was undoubtedly Albert Gallatin. The defects of Madison as a War-President he had long foreseen; the need of reorganizing the Executive Departments he had pointed out as soon as war became inevitable; and the problem of financing the war he had attacked farsightedly, fearlessly, and without regard to political consistency. No one watched the approach of hostilities with a bitterer sense of blasted hopes. For ten years he had labored to limit expenditures, sacrificing even the military and naval establishments, that the people might be spared the burden of needless taxes; and within this decade he had also scaled down the national debt one-half, so that posterity might not be saddled with burdens not of its own choosing. And now war threatened to undo his work. The young republic was after all not to lead its own life, realize a unique destiny, but to tread the old well-worn path of war, armaments, and high-handed government. Well, he would save what he could, do his best to avert "perpetual taxation, military establishments, and other corrupting or anti-republican habits or institutions."

If Gallatin at first underrated the probable revenue for war purposes, he speedily confessed his error and set before Congress inexorably the necessity for new taxes — aye, even for an internal tax, which he had once denounced as loudly as any Republican. For more than a year after the declaration of war, Congress was deaf to pleas for new sources of revenue; and it was not, indeed, until the last year of the war that it voted the taxes which in the long run could alone support the public credit. Meantime, facing a depleted Treasury, Gallatin found himself reduced to a mere "dealer of loans" — a position utterly abhorrent to him. Even his efforts to place the loans which Congress authorized must have failed but for the timely aid of three men whom Quincy would have contemptuously termed foreigners, for all like Gallatin were foreign-born — Astor, Girard, and Parish. Utterly weary of his thankless job, Gallatin seized upon the opportunity afforded by the Russian offer of mediation to leave the Cabinet and perhaps to end the war by a diplomatic stroke. He asked and received an appointment as one of the three American commissioners.

If Madison really believed that the people of the United States would unitedly press onward and

defend the flag when once he had thrown it forward, he must have been strangely insensitive to the disaffection in New England. Perhaps, like Jefferson in the days of the embargo, he mistook the spirit of this opposition, thinking that it was largely partisan clamor which could safely be disregarded. What neither of these Virginians appreciated was the peculiar fanatical and sectional character of this Federalist opposition, and the extremes to which it would go. Yet abundant evidence lay before their eyes. Thirty-four Federalist members of the House, nearly all from New England, issued an address to their constituents bitterly arraigning the Administration and deploring the declaration of war; the House of Representatives of Massachusetts, following this example, published another address, denouncing the war as a wanton sacrifice of the best interests of the people and imploring all good citizens to meet in town and county assemblies to protest and to resolve not to volunteer except for a defensive war; and a meeting of citizens of Rockingham County, New Hampshire, adopted a memorial drafted by young Daniel Webster, which hinted that the separation of the States — "an event fraught with incalculable evils" — might sometime occur on just such an occasion as

this. Town after town, and county after county, took up the hue and cry, keeping well within the limits of constitutional opposition, it is true, but weakening the arm of the Government just when it should have struck the enemy effective blows.

Nor was the President without enemies in his own political household. The Republicans of New York, always lukewarm in their support of the Virginia Dynasty, were now bent upon preventing his reëlection. They found a shrewd and not overscrupulous leader in DeWitt Clinton and an adroit campaign manager in Martin Van Buren. Both belonged to that school of New York politicians of which Burr had been master. Anything to beat Madison was their cry. To this end they were willing to condemn the war-policy, to promise a vigorous prosecution of the war, and even to negotiate for peace. What made this division in the ranks of the Republicans so serious was the willingness of the New England Federalists to make common cause with Clinton. In September a convention of Federalists endorsed his nomination for the Presidency.

Under the weight of accumulating disasters, military and political, it seemed as though Madison must go down in defeat. Every New England

State but Vermont cast its electoral votes for Clinton; all the Middle States but Pennsylvania also supported him; and Maryland divided its vote. Only the steadiness of the Southern Republicans and of Pennsylvania saved Madison; a change of twenty electoral votes would have ended the Virginia Dynasty.[1] Now at least Madison must have realized the poignant truth which the Federalists were never tired of repeating: he had entered upon the war as President of a divided people.

Only a few months' experience was needed to convince the military authorities at Washington that the war must be fought mainly by volunteers. Every military consideration derived from American history warned against this policy, it is true, but neither Congress nor the people would entertain for an instant the thought of conscription. Only with great reluctance and under pressure had Congress voted to increase the regular army and to authorize the President to raise fifty thousand volunteers. The results of this legislation were disappointing, not to say humiliating. The conditions of enlistment were not such as to encourage recruiting; and even when the pay had been increased and the term of service shortened, few

[1] In the electoral vote Madison received 128; Clinton, 89.

able-bodied citizens would respond. If any such desired to serve their country, they enrolled in the State militia which the President had been authorized to call into active service for six months.

In default of a well-disciplined regular army and an adequate volunteer force, the Administration was forced more and more to depend upon such quotas of militia as the States would supply. How precarious was the hold of the national Government upon the State forces, appeared in the first months of the war. When called upon to supply troops to relieve the regulars in the coast defenses, the governors of Massachusetts and Connecticut flatly refused, holding that the commanders of the State militia, and not the President, had the power to decide when exigencies demanded the use of the militia in the service of the United States. In his annual message Madison termed this "a novel and unfortunate exposition" of the Constitution, and he pointed out — what indeed was sufficiently obvious — that if the authority of the United States could be thus frustrated during actual war, "they are not one nation for the purpose most of all requiring it." But what was the President to do? Even if he, James Madison, author of the Virginia Resolutions of 1798, could so forget his political creed as to

conceive of coercing a sovereign state, where was the army which would do his bidding? The President was the victim of his own political theory.

These bitter revelations of 1812 — the disaffection of New England, the incapacity of two of his secretaries, the disasters of his staff officers on the frontier, the slow recruiting, the defiance of Massachusetts and Connecticut — almost crushed the President. Never physically robust, he succumbed to an insidious intermittent fever in June and was confined to his bed for weeks. So serious was his condition that Mrs. Madison was in despair and scarcely left his side for five long weeks. "Even now," she wrote to Mrs. Gallatin, at the end of July, "I watch over him as I would an infant, so precarious is his convalescence." The rumor spread that he was not likely to survive, and politicians in Washington began to speculate on the succession to the Presidency.

But now and then a ray of hope shot through the gloom pervading the White House and Capitol. The stirring victory of the *Constitution* over the *Guerrière* in August, 1812, had almost taken the sting out of Hull's surrender at Detroit, and other victories at sea followed, glorious in the annals of American naval warfare, though without decisive

influence on the outcome of the war. Of much greater significance was Perry's victory on Lake Erie in September, 1813, which opened the way to the invasion of Canada. This brilliant combat followed by the Battle of the Thames cheered the President in his slow convalescence. Encouraging, too, were the exploits of American privateers in British waters, but none of these events seemed likely to hasten the end of the war. Great Britain had already declined the Russian offer of mediation.

Last day but one of the year 1813 a British schooner, the *Bramble*, came into the port of Annapolis bearing an important official letter from Lord Castlereagh to the Secretary of State. With what eager and anxious hands Monroe broke the seal of this letter may be readily imagined. It might contain assurances of a desire for peace; it might indefinitely prolong the war. In truth the letter pointed both ways. Castlereagh had declined to accept the good offices of Russia, but he was prepared to begin direct negotiations for peace. Meantime the war must go on — with the chances favoring British arms, for the *Bramble* had also brought the alarming news of Napoleon's defeat on the plains of Leipzig. Now for the first time

Great Britain could concentrate all her efforts upon the campaign in North America. No wonder the President accepted Castlereagh's offer with alacrity. To the three commissioners sent to Russia, he added Henry Clay and Jonathan Russell and bade them Godspeed while he nerved himself to meet the crucial year of the war.

Had the President been fully apprized of the elaborate plans of the British War Office, his anxieties would have been multiplied many times. For what resources had the Government to meet invasion on three frontiers? The Treasury was again depleted; new loans brought in insufficient funds to meet current expenses; recruiting was slack because the Government could not compete with the larger bounties offered by the States; by summer the number of effective regular troops was only twenty-seven thousand all told. With this slender force, supplemented by State levies, the military authorities were asked to repel invasion. The Administration had not yet drunk the bitter dregs of the cup of humiliation.

That some part of the invading British forces might be detailed to attack the Capital was vaguely divined by the President and his Cabinet; but no adequate measures had been taken for the

defense of the city when, on a fatal August day, the British army marched upon it. The humiliating story of the battle of Bladensburg has been told elsewhere. The disorganized mob which had been hastily assembled to check the advance of the British was utterly routed almost under the eyes of the President, who with feelings not easily described found himself obliged to join the troops fleeing through the city. No personal humiliation was spared the President and his family. Dolly Madison, never once doubting that the noise of battle which reached the White House meant an American victory, stayed calmly indoors until the rush of troops warned her of danger. She and her friends were then swept along in the general rout. She was forced to leave her personal effects behind, but her presence of mind saved one treasure in the White House — a large portrait of General Washington painted by Gilbert Stuart. That priceless portrait and the plate were all that survived. The fleeing militiamen had presence of mind enough to save a large quantity of the wine by drinking it, and what was left, together with the dinner on the table, was consumed by Admiral Cockburn and his staff. By nightfall the White House, the Treasury, and the War Office were in

flames, and only a severe thunderstorm checked the conflagration.[1]

Heartsick and utterly weary, the President crossed the Potomac at about six o'clock in the evening and started westward in a carriage toward Montpelier. He had been in the saddle since early morning and was nearly spent. To fatigue was added humiliation, for he was forced to travel with a crowd of embittered fugitives and sleep in a forlorn house by the wayside. Next morning he overtook Mrs. Madison at an inn some sixteen miles from the Capital. Here they passed another day of humiliation, for refugees who had followed the same line of flight reviled the President for betraying them and the city. At midnight, alarmed at a report that the British were approaching, the President fled to another miserable refuge deeper in the Virginia woods. This fear of capture was quite unfounded, however, for the British troops had already evacuated the city and were marching in the opposite direction.

[1] Before passing judgment on the conduct of British officers and men, in the capital, the reader should recall the equally indefensible outrages committed by American troops under General Dearborn in 1813, when the Houses of Parliament and other public buildings at York (Toronto) were pillaged and burned. See Kingsford's *History of Canada*, VIII, pp. 259–61.

Two days later the President returned to the capital to collect his Cabinet and repair his shattered Government. He found public sentiment hot against the Administration for having failed to protect the city. He had even to fear personal violence, but he remained "tranquil as usual . . . though much distressed by the dreadful event which had taken place." He was still more distressed, however, by the insistent popular clamor for a victim for punishment. All fingers pointed at Armstrong as the man responsible for the capture of the city. Armstrong offered to resign at once, but the President in distress would not hear of resignation. He would advise only "a temporary retirement" from the city to placate the inhabitants. So Armstrong departed, but by the time he reached Baltimore he realized the impossibility of his situation and sent his resignation to the President. The victim had been offered up. At his own request Monroe was now made Secretary of War, though he continued also to discharge the not very heavy duties of the State Department.

It was a disillusioned group of Congressmen who gathered in September, 1814, in special session at the President's call. Among those who gazed sadly

at the charred ruins of the Capitol were Calhoun, Cheves, and Grundy, whose voices had been loud for war and who had pictured their armies overrunning the British possessions. Clay was at this moment endeavoring to avert a humiliating surrender of American claims at Ghent. To the sting of defeated hopes was added physical discomfort. The only public building which had escaped the general conflagration was the Post and Patent Office. In these cramped quarters the two houses awaited the President's message.

A visitor from another planet would have been strangely puzzled to make the President's words tally with the havoc wrought by the enemy on every side. A series of achievements had given new luster to the American arms; "the pride of our naval arms had been amply supported"; the American people had "rushed with enthusiasm to the scenes where danger and duty call." Not a syllable about the disaster at Washington! Not a word about the withdrawal of the Connecticut militia from national service, and the refusal of the Governor of Vermont to call out the militia just at the moment when Sir George Prevost began his invasion of New York; not a word about the general suspension of specie payment by all banks outside

of New England; not a word about the failure of the last loan and the imminent bankruptcy of the Government. Only a single sentence betrayed the anxiety which was gnawing Madison's heart: "It is not to be disguised that the situation of our country calls for its greatest efforts." What the situation demanded, he left his secretaries to say.

The new Secretary of War seemed to be the one member of the Administration who was prepared to grapple with reality and who had the courage of his convictions. While Jefferson was warning him that it was nonsense to talk about a regular army, Monroe told Congress flatly that no reliance could be placed in the militia and that a permanent force of one hundred thousand men must be raised — raised by conscription if necessary. Throwing Virginian and Jeffersonian principles to the winds, he affirmed the constitutional right of Congress to draft citizens. The educational value of war must have been very great to bring Monroe to this conclusion, but Congress had not traveled so far. One by one Monroe's alternative plans were laid aside; and the country, like a rudderless ship, drifted on.

An insuperable obstacle, indeed, prevented the establishment of any efficient national army at this

time. Every plan encountered ultimately the inexorable fact that the Treasury was practically empty and the credit of the Government gone. Secretary Campbell's report was a confession of failure to sustain public credit. Some seventy-four millions would be needed to carry the existing civil and military establishments for another year, and of this sum, vast indeed in those days, only twenty-four millions were in sight. Where the remaining fifty millions were to be found, the Secretary could not say. With this admission of incompetence Campbell resigned from office. On the 9th of November his successor, A. J. Dallas, notified holders of government securities at Boston that the Treasury could not meet its obligations.

It was at this crisis, when bankruptcy stared the Government in the face, that the Legislature of Massachusetts appointed delegates to confer with delegates from other New England legislatures on their common grievances and dangers and to devise means of security and defense. The Legislatures of Connecticut and Rhode Island responded promptly by appointing delegates to meet at Hartford on the 15th of December; and the proposed convention seemed to receive popular indorsement in the congressional elections, for with but two

exceptions all the Congressmen chosen were Federalists. Hot-heads were discussing without any attempt at concealment the possibility of reconstructing the Federal Union. A new union of the good old Thirteen States on terms set by New England was believed to be well within the bounds of possibility. News-sheets referred enthusiastically to the erection of a new Federal edifice which should exclude the Western States. Little wonder that the harassed President in distant Washington was obsessed with the idea that New England was on the verge of secession.

William Wirt who visited Washington at this time has left a vivid picture of ruin and desolation:

> I went to look at the ruins of the President's house. The rooms which you saw so richly furnished, exhibited nothing but unroofed naked walls, cracked, defaced, and blackened with fire. I cannot tell you what I felt as I walked amongst them. . . . I called on the President. He looks miserably shattered and wobegone. In short, he looked heartbroken. His mind is full of the New England sedition. He introduced the subject, and continued to press it, — painful as it obviously was to him. I denied the probability, even the *possibility* that the yeomanry of the North could be induced to place themselves under the power and protection of England, and diverted the conversation to another topic; but he took the first opportunity to return

to it, and convinced me that his heart and mind were painfully full of the subject.

What added to the President's misgivings was the secrecy in which the members of the Hartford Convention shrouded their deliberations. An atmosphere of conspiracy seemed to envelop all their proceedings. That the "deliverance of New England" was at hand was loudly proclaimed by the Federalist press. A reputable Boston news-sheet advised the President to procure a faster horse than he had mounted at Bladensburg, if he would escape the swift vengeance of New England.

The report of the Hartford Convention seemed hardly commensurate with the fears of the President or with the windy boasts of the Federalist press. It arraigned the Administration in scathing language, to be sure, but it did not advise secession. "The multiplied abuses of bad administrations" did not yet justify a severance of the Union, especially in a time of war. The manifest defects of the Constitution were not incurable; yet the infractions of the Constitution by the National Government had been so deliberate, dangerous, and palpable as to put the liberties of the people in jeopardy and to constrain the several States to interpose their authority to protect their citizens. The legislatures

of the several States were advised to adopt measures to protect their citizens against such unconstitutional acts of Congress as conscription and to concert some arrangement with the Government at Washington, whereby they jointly or separately might undertake their own defense, and retain a reasonable share of the proceeds of Federal taxation for that purpose. To remedy the defects of the Constitution seven amendments were proposed, all of which had their origin in sectional hostility to the ascendancy of Virginia and to the growing power of the New West. The last of these proposals was a shot at Madison and Virginia: "nor shall the President be elected from the same State two terms in succession." And finally, should these applications of the States for permission to arm in their own defense be ignored, then and in the event that peace should not be concluded, another convention should be summoned "with such powers and instructions as the exigency of a crisis so momentous may require."

Massachusetts, under Federalist control, acted promptly upon these suggestions. Three commissioners were dispatched to Washington to effect the desired arrangements for the defense of the State. The progress of these "three ambassadors,"

as they styled themselves, was followed with curiosity if not with apprehension. In Federalist circles there was a general belief that an explosion was at hand. A disaster at New Orleans, which was now threatened by a British fleet and army, would force Madison to resign or to conclude peace. But on the road to Washington, the ambassadors learned to their surprise that General Andrew Jackson had decisively repulsed the British before New Orleans, on the 8th of January, and on reaching the Capital they were met by the news that a treaty of peace had been signed at Ghent. Their cause was not only discredited but made ridiculous. They and their mission were forgotten as the tension of war times relaxed. The Virginia Dynasty was not to end with James Madison.

CHAPTER XII

THE PEACEMAKERS

On a May afternoon in the year 1813, a little three-hundred-ton ship, the *Neptune*, put out from New Castle down Delaware Bay. Before she could clear the Capes she fell in with a British frigate, one of the blockading squadron which was already drawing its fatal cordon around the seaboard States. The captain of the *Neptune* boarded the frigate and presented his passport, from which it appeared that he carried two distinguished passengers, Albert Gallatin and James A. Bayard, Envoys Extraordinary to Russia. The passport duly viséed, the *Neptune* resumed her course out into the open sea, by grace of the British navy.

One of these envoys watched the coast disappear in the haze of evening with mingled feelings of regret and relief. For twelve weary years Gallatin had labored disinterestedly for the land of his adoption and now he was recrossing the ocean to

the home of his ancestors with the taunts of his enemies ringing in his ears. Would the Federalists never forget that he was a "foreigner"? He reflected with a sad, ironic smile that as a "foreigner with a French accent" he would have distinct advantages in the world of European diplomacy upon which he was entering. He counted many distinguished personages among his friends, from Madame de Staël to Alexander Baring of the famous London banking house. Unlike many native Americans he did not need to learn the ways of European courts, because he was to the manner born: he had no provincial habits which he must slough off or conceal. Also he knew himself and the happy qualities with which Nature had endowed him — patience, philosophic composure, unfailing good humor. All these qualities were to be laid under heavy requisition in the work ahead of him.

James Bayard, Gallatin's fellow passenger, had never been taunted as a foreigner, because several generations had intervened since the first of his family had come to New Amsterdam with Peter Stuyvesant. Nothing but his name could ever suggest that he was not of that stock commonly referred to as native American. Bayard had graduated at Princeton, studied law in Philadelphia, and

had just opened a law office in Wilmington when he was elected to represent Delaware in Congress. As the sole representative of his State in the House of Representatives and as a Federalist, he had exerted a powerful influence in the disputed election of 1800, and he was credited with having finally made possible the election of Jefferson over Burr. Subsequently he was sent to the Senate, where he was serving when he was asked by President Madison to accompany Gallatin on this mission to the court of the Czar. Granting that a Federalist must be selected, Gallatin could not have found a colleague more to his liking, for Bayard was a good companion and perhaps the least partisan of the Federalist leaders.

It was midsummer when the *Neptune* dropped anchor in the harbor of Kronstadt. There Gallatin and Bayard were joined by John Quincy Adams, Minister to Russia, who had been appointed the third member of the commission. Here was a pure-blooded American by all the accepted canons. John Quincy Adams was the son of his father and gloried secretly in his lineage: a Puritan of the Puritans in his outlook upon human life and destiny. Something of the rigid quality of rock-bound New England entered into his composition. He was a

foe to all compromise — even with himself; to him Duty was the stern daughter of the voice of God, who admonished him daily and hourly of his obligations. No character in American public life has unbosomed himself so completely as this son of Massachusetts in the pages of his diary. There are no half tones in the pictures which he has drawn of himself, no winsome graces of mind or heart, only the rigid outlines of a soul buffeted by Destiny. Gallatin — the urbane, cosmopolitan Gallatin — must have derived much quiet amusement from his association with this robust New Englander who took himself so seriously. Two natures could not have been more unlike, yet the superior flexibility of Gallatin's temperament made their association not only possible but exceedingly profitable. We may not call their intimacy a friendship — Adams had few, if any friendships; but it contained the essential foundation for friendship — complete mutual confidence.

Adams brought disheartening news to the travel-weary passengers on the *Neptune:* England had declined the offer of mediation. Yes; he had the information from the lips of Count Roumanzoff, the Chancellor and Minister of Foreign Affairs. Apparently, said Adams with pursed lips, England

regarded the differences with America as a sort of family quarrel in which it would not allow an outside neutral nation to interfere. Roumanzoff, however, had renewed the offer of mediation. What the motives of the Count were, he would not presume to say: Russian diplomacy was unfathomable.

The American commissioners were in a most embarrassing position. Courtesy required that they should make no move until they knew what response the second offer of mediation would evoke. The Czar was their only friend in all Europe, so far as they knew, and they were none too sure of him. They were condemned to anxious inactivity, while in middle Europe the fortunes of the Czar rose and fell. In August the combined armies of Russia, Austria, and Prussia were beaten by the fresh levies of Napoleon; in September, the fighting favored the allies; in October, Napoleon was brought to bay on the plains of Leipzig. Yet the imminent fall of the Napoleonic Empire only deepened the anxiety of the forlorn American envoys, for it was likely to multiply the difficulties of securing reasonable terms from his conqueror.

At the same time with news of the Battle of Leipzig came letters from home which informed Gallatin that his nomination as envoy had been

rejected by the Senate. This was the last straw. To remain inactive as an envoy was bad enough; to stay on unaccredited seemed impossible. He determined to take advantage of a hint dropped by his friend Baring that the British Ministry, while declining mediation, was not unwilling to treat directly with the American commissioners. He would go to London in an unofficial capacity and smooth the way to negotiations. But Adams and Bayard demurred and persuaded him to defer his departure. A month later came assurances that Lord Castlereagh had offered to negotiate with the Americans either at London or at Gothenburg.

Late in January, 1814, Gallatin and Bayard set off for Amsterdam: the one to bide his chance to visit London, the other to await further instructions. There they learned that in response to Castlereagh's overtures, the President had appointed a new commission, on which Gallatin's name did not appear. Notwithstanding this disappointment, Gallatin secured the desired permission to visit London through the friendly offices of Alexander Baring. Hardly had the Americans established themselves in London when word came that the two new commissioners, Henry Clay and Jonathan Russell, had landed at Gothenburg bearing a

commission for Gallatin. It seems that Gallatin was believed to be on his way home and had therefore been left off the commission; on learning of his whereabouts, the President had immediately added his name. So it happened that Gallatin stood last on the list when every consideration dictated his choice as head of the commission. The incident illustrates the difficulties that beset communication one hundred years ago. Diplomacy was a game of chance in which wind and waves often turned the score. Here were five American envoys duly accredited, one keeping his stern vigil in Russia, two on the coast of Sweden, and two in hostile London. Where would they meet? With whom were they to negotiate?

After vexatious delays Ghent was fixed upon as the place where peace negotiations should begin, and there the Americans rendezvoused during the first week in July. Further delay followed, for in spite of the assurances of Lord Castlereagh the British representatives did not make their appearance for a month. Meantime the American commissioners made themselves at home among the hospitable Flemish townspeople, with whom they became prime favorites. In the concert halls they were always greeted with enthusiasm. The musicians

soon discovered that British tunes were not in favor and endeavored to learn some American airs. Had the Americans no national airs of their own, they asked. "Oh, yes!" they were assured. "There was *Hail Columbia.*" Would not one of the gentlemen be good enough to play or sing it? An embarrassing request, for musical talent was not conspicuous in the delegation; but Peter, Gallatin's black servant, rose to the occasion. He whistled the air; and then one of the attachés scraped out the melody on a fiddle, so that the quick-witted orchestra speedily composed *l'air national des Américains à grand orchestre,* and thereafter always played it as a counterbalance to *God save the King.*

The diversions of Ghent, however, were not numerous, and time hung heavy on the hands of the Americans while they waited for the British commissioners. "We dine together at four," Adams records, "and sit usually at table until six. We then disperse to our several amusements and avocations." Clay preferred cards or billiards and the mild excitement of rather high stakes. Gallatin and his young son James preferred the theater; and all but Adams became intimately acquainted with the members of a French troupe of players whom Adams describes as the worst he ever saw.

As for Adams himself, his diversion was a solitary walk of two or three hours, and then to bed.

On the 6th of August the British commissioners arrived in Ghent — Admiral Lord Gambier, Henry Goulburn, Esq., and Dr. William Adams. They were not an impressive trio. Gambier was an elderly man whom a writer in the *Morning Chronicle* described as a man "who slumbered for some time as a Junior Lord of Admiralty; who sung psalms, said prayers, and assisted in the burning of Copenhagen, for which he was made a lord." Goulburn was a young man who had served as an undersecretary of state. Adams was a doctor of laws who was expected perhaps to assist negotiations by his legal lore. Gallatin described them not unfairly as "men who have not made any mark . . . puppets of Lords Castlereagh and Liverpool." Perhaps, in justification of this choice of representatives, it should be said that the best diplomatic talent had been drafted into service at Vienna and that the British Ministry expected in this smaller conference to keep the threads of diplomacy in its own hands.

The first meeting of the negotiators was amicable enough. The Americans found their opponents

courteous and well-bred; and both sides evinced a desire to avoid in word and manner, as Bayard put it, "everything of an inflammable nature." Throughout this memorable meeting at Ghent, indeed, even when difficult situations arose and nerves became taut, personal relations continued friendly. "We still keep personally upon eating and drinking terms with them," Adams wrote at a tense moment. Speaking for his superiors and his colleagues, Admiral Gambier assured the Americans of their earnest desire to end hostilities on terms honorable to both parties. Adams replied that he and his associates reciprocated this sentiment. And then, without further formalities, Goulburn stated in blunt and business-like fashion the matters on which they had been instructed: impressment, fisheries, boundaries, the pacification of the Indians, and the demarkation of an Indian territory. The last was to be regarded as a *sine qua non* for the conclusion of any treaty. Would the Americans be good enough to state the purport of their instructions?

The American commissioners seem to have been startled out of their composure by this *sine qua non*. They had no instructions on this latter point nor on the fisheries; they could only ask for a more

specific statement. What had His Majesty's Government in mind when it referred to an Indian territory? With evident reluctance the British commissioners admitted that the proposed Indian territory was to serve as a buffer state between the United States and Canada. Pressed for more details, they intimated that this area thus neutralized might include the entire Northwest.

A second conference only served to show the want of any common basis for negotiation. The Americans had come to Ghent to settle two outstanding problems — blockades and indemnities for attacks on neutral commerce — and to insist on the abandonment of impressments as a *sine qua non*. Both commissions then agreed to appeal to their respective Governments for further instructions. Within a week, Lord Castlereagh sent precise instructions which confirmed the worst fears of the Americans. The Indian boundary line was to follow the line of the Treaty of Greenville and beyond it neither nation was to acquire land. The United States was asked, in short, to set apart for the Indians in perpetuity an area which comprised the present States of Michigan, Wisconsin, and Illinois, four-fifths of Indiana, and a third of Ohio. But, remonstrated Gallatin, this area included States

and Territories settled by more than a hundred thousand American citizens. What was to be done with them? "They must look after themselves," was the blunt answer.

In comparison with this astounding proposal, Lord Castlereagh's further suggestion of a "rectification" of the frontier by the cession of Fort Niagara and Sackett's Harbor and by the exclusion of the Americans from the Lakes, seemed of little importance. The purpose of His Majesty's Government, the commissioners hastened to add, was not aggrandizement but the protection of the North American provinces. In view of the avowed aim of the United States to conquer Canada, the control of the Lakes must rest with Great Britain. Indeed, taking the weakness of Canada into account, His Majesty's Government might have reasonably demanded the cession of the lands adjacent to the Lakes; and should these moderate terms not be accepted, His Majesty's Government would feel itself at liberty to enlarge its demands, if the war continued to favor British arms. The American commissioners asked if these proposals relating to the control of the Lakes were also a *sine qua non*. "We have given you one *sine qua non* already," was the reply, "and

we should suppose one *sine qua non* at a time was enough."

The Americans returned to their hotel of one mind: they could view the proposals just made in no other light than as a deliberate attempt to dismember the United States. They could differ only as to the form in which they should couch their positive rejection. As titular head of the commission, Adams set promptly to work upon a draft of an answer which he soon set before his colleagues. At once all appearance of unanimity vanished. To the enemy they could present a united front; in the privacy of their apartment, they were five headstrong men. They promptly fell upon Adams's draft tooth and nail. Adams described the scene with pardonable resentment:

> Mr. Gallatin is for striking out any expression that may be offensive to the feelings of the adverse party. Mr. Clay is displeased with figurative language, which he thinks improper for a state paper. Mr. Russell, agreeing in the objections of the two other gentlemen, will be further for amending the construction of every sentence; and Mr. Bayard, even when agreeing to say precisely the same thing, chooses to say it only in his own language.

Sharp encounters took place between Adams and Clay. "You *dare* not," shouted Clay in a passion

on one occasion, "you *cannot*, you *shall* not insinuate that there has been a cabal of three members against you!" "Gentlemen! Gentlemen!" Gallatin would expostulate with a twinkle in his eye, "We must remain united or we will fail." It was his good temper and tact that saved this and many similar situations. When Bayard had essayed a draft of his own and had failed to win support, it was Gallatin who took up Adams's draft and put it into acceptable form. On the third day, after hours of "sifting, erasing, patching, and amending, until we were all wearied, though none of us satisfied," Gallatin's revision was accepted. From this moment, Gallatin's virtual leadership was unquestioned.

The American note of the 24th of August was a vigorous but even-tempered protest against the British demands as contrary to precedent and dishonorable to the United States. The American States would never consent "to abandon territory and a portion of their citizens, to admit a foreign interference in their domestic concerns, and to cease to exercise their natural rights on their own shores and in their own waters." "A treaty concluded on such terms would be but an armistice." But after the note had been prepared and

dispatched, profound discouragement reigned in the American hotel. Even Gallatin, usually hopeful and philosophically serene, grew despondent. "Our negotiations may be considered at an end," he wrote to Monroe; "Great Britain wants war in order to cripple us. She wants aggrandizement at our expense. . . . I do not expect to be longer than three weeks in Europe." The commissioners notified their landlord that they would give up their quarters on the 1st of October; yet they lingered on week after week, waiting for the word which would close negotiations and send them home.

Meantime the British Ministry was quite as little pleased at the prospect. It would not do to let the impression go abroad that Great Britain was prepared to continue the war for territorial gains. If a rupture of the negotiations must come, Lord Castlereagh preferred to let the Americans shoulder the responsibility. He therefore instructed Gambier not to insist on the independent Indian territory and the control of the Lakes. These points were no longer to be "ultimata" but only matters for discussion. The British commissioners were to insist, however, on articles providing for the pacification of the Indians.

Should the Americans yield this *sine qua non*,

now that the first had been withdrawn? Adams thought not, decidedly not; he would rather break off negotiations than admit the right of Great Britain to interfere with the Indians dwelling within the limits of the United States. Gallatin remarked that after all it was a very small point to insist on, when a slight concession would win much more important points. "Then, said I [Adams], with a movement of impatience and an angry tone, it is a good point to admit the British as the sovereigns and protectors of our Indians? Gallatin's face brightened, and he said in a tone of perfect good-humor, 'That's a non-sequitur.' This turned the edge of the argument into jocularity. I laughed, and insisted that it was a sequitur, and the conversation easily changed to another point." Gallatin had his way with the rest of the commission and drafted the note of the 26th of September, which, while refusing to recognize the Indians as sovereign nations in the treaty, proposed a stipulation that would leave them in possession of their former lands and rights. This solution of a perplexing problem was finally accepted after another exchange of notes and another earnest discussion at the American hotel, where Gallatin again poured oil on the troubled waters. Concession

begat concession. New instructions from President Madison now permitted the commissioners to drop the demand for the abolition of impressments and blockades; and, with these difficult matters swept away, the path to peace was much easier to travel.

Such was the outlook for peace when news reached Ghent of the humiliating rout at Bladensburg. The British newspapers were full of jubilant comments; the five crestfallen American envoys took what cold comfort they could out of the very general condemnation of the burning of the Capitol. Then, on the heels of this intelligence, came rumors that the British invasion of New York had failed and that Prevost's army was in full retreat to Canada. The Americans could hardly grasp the full significance of this British reversal: it was too good to be true. But true it was, and their spirits rebounded.

It was at this juncture that the British commissioners presented a note, on the 21st of October, which for the first time went to the heart of the negotiations. War had been waged; territory had been overrun; conquests had been made — not the anticipated conquests on either side, to be sure, but conquests nevertheless. These were the plain

facts. Now the practical question was this: Was the treaty to be drafted on the basis of the existing state of possession or on the basis of the status before the war? The British note stated their case in plain unvarnished fashion; it insisted on the *status uti possidetis* — the possession of territory won by arms.

In the minds of the Americans, buoyed up by the victory at Plattsburg, there was not the shadow of doubt as to what their answer should be; they declined for an instant to consider any other basis for peace than the restoration of gains on both sides. Their note was prompt, emphatic, even blunt, and it nearly shattered the nerves of the gentlemen in Downing Street. Had these stiff-necked Yankees no sense? Could they not perceive the studied moderation of the terms proposed — an island or two and a small strip of Maine — when half of Maine and the south bank of the St. Lawrence from Plattsburg to Sackett's Harbor might have been demanded as the price of peace?

The prospect of another year of war simply to secure a frontier which nine out of ten Englishmen could not have identified was most disquieting, especially in view of the prodigious cost of military operations in North America. The Ministry was

JAMES MONROE

Painting by John Vanderlyn, 1822. In the City Hall, New York. Owned by the Corporation. Reproduced by courtesy of the Municipal Art Commission of the City of New York.

both hot and cold. At one moment it favored continued war; at another it shrank from the consequences; and in the end it confessed its own want of decision by appealing to the Duke of Wellington and trying to shift the responsibility to his broad shoulders. Would the Duke take command of the forces in Canada? He should be invested with full diplomatic and military powers to bring the war to an honorable conclusion.

The reply of the Iron Duke gave the Ministry another shock. He would go to America, but he did not promise himself much success there, and he was reluctant to leave Europe at this critical time. To speak frankly, he had no high opinion of the diplomatic game which the Ministry was playing at Ghent. "I confess," said he, "that I think you have no right from the state of the war to demand any concession from America. . . . You have not been able to carry it into the enemy's territory, notwithstanding your military success, and now undoubted military superiority, and have not even cleared your own territory on the point of attack. You cannot on any principle of equality in negotiation claim a cession of territory excepting in exchange for other advantages which you have in your power. . . . Then if this reasoning be

true, why stipulate for the *uti possidetis?* You can get no territory; indeed, the state of your military operations, however creditable, does not entitle you to demand any."

As Lord Liverpool perused this dispatch, the will to conquer oozed away. "I think we have determined," he wrote a few days later to Castlereagh, "if all other points can be satisfactorily settled, not to continue the war for the purpose of obtaining or securing any acquisition of territory." He set forth his reasons for this decision succinctly: the unsatisfactory state of the negotiations at Vienna, the alarming condition of France, the deplorable financial outlook in England. But Lord Liverpool omitted to mention a still more potent factor in his calculations — the growing impatience of the country. The American war had ceased to be popular; it had become the graveyard of military reputations; it promised no glory to either sailor or soldier. Now that the correspondence of the negotiators at Ghent was made public, the reading public might very easily draw the conclusion that the Ministry was prolonging the war by setting up pretensions which it could not sustain. No Ministry could afford to continue a war out of mere stubbornness.

Meantime, wholly in the dark as to the forces which were working in their favor, the American commissioners set to work upon a draft of a treaty which should be their answer to the British offer of peace on the basis of *uti possidetis.* Almost at once dissensions occurred. Protracted negotiations and enforced idleness had set their nerves on edge, and old personal and sectional differences appeared. The two matters which caused most trouble were the fisheries and the navigation of the Mississippi. Adams could not forget how stubbornly his father had fought for that article in the treaty of 1783 which had conceded to New England fishermen, as a natural right, freedom to fish in British waters. To a certain extent this concession had been offset by yielding to the British the right of navigation of the Mississippi, but the latter right seemed unimportant in the days when the Alleghanies marked the limit of western settlement. In the quarter of a century which had elapsed, however, the West had come into its own. It was now a powerful section with an intensely alert consciousness of its rights and wrongs; and among its rights it counted the exclusive control of the Father of Waters. Feeling himself as much the champion of Western interests as Adams did of New England

fisheries, Clay refused indignantly to consent to a renewal of the treaty provisions of 1783. But when the matter came to a vote, he found himself with Russell in a minority. Very reluctantly he then agreed to Gallatin's proposal, to insert in a note, rather than in the draft itself, a paragraph to the effect that the commissioners were not instructed to discuss the rights hitherto enjoyed in the fisheries, since no further stipulation was deemed necessary to entitle them to rights which were recognized by the treaty of 1783.

When the British reply to the American project was read, Adams noted with quiet satisfaction that the reservation as to the fisheries was passed over in silence — silence, he thought, gave consent — but Clay flew into a towering passion when he learned that the old right of navigating the Mississippi was reasserted. Adams was prepared to accept the British proposals; Clay refused point blank; and Gallatin sided this time with Clay. Could a compromise be effected between these stubborn representatives of East and West? Gallatin tried once more. Why not accept the British right of navigation — surely an unimportant point after all — and ask for an express affirmation of fishery rights? Clay replied hotly that if they were going to

sacrifice the West to Massachusetts, he would not sign the treaty. With infinite patience Gallatin continued to play the rôle of peacemaker and finally brought both these self-willed men to agree to offer a renewal of both rights.

Instead of accepting this eminently fair adjustment, the British representatives proposed that the two disputed rights be left to future negotiation. The suggestion caused another explosion in the ranks of the Americans. Adams would not admit even by implication that the rights for which his sire fought could be forfeited by war and become the subject of negotiation. But all save Adams were ready to yield. Again Gallatin came to the rescue. He penned a note rejecting the British offer, because it seemed to imply the abandonment of a right; but in turn he offered to omit in the treaty all reference to the fisheries and the Mississippi or to include a general reference to further negotiation of all matters still in dispute, in such a way as not to relinquish any rights. To this solution of the difficulty all agreed, though Adams was still torn by doubts and Clay believed that the treaty was bound to be "damned bad" anyway.

An anxious week of waiting followed. On the 22d of December came the British reply — a

grudging acceptance of Gallatin's first proposal to omit all reference to the fisheries and the Mississippi. Two days later the treaty was signed in the refectory of the Carthusian monastery where the British commissioners were quartered. Let the tired seventeen-year-old boy who had been his father's scribe through these long weary months describe the events of Christmas Day, 1814. "The British delegates very civilly asked us to dinner," wrote James Gallatin in his diary. "The roast beef and plum pudding was from England, and everybody drank everybody else's health. The band played first *God Save the King*, to the toast of the King, and *Yankee Doodle*, to the toast of the President. Congratulations on all sides and a general atmosphere of serenity; it was a scene to be remembered. God grant there may be always peace between the two nations. I never saw father so cheerful; he was in high spirits, and his witty conversation was much appreciated."[1]

Peace! That was the outstanding achievement of the American commissioners at Ghent. Measured by the purposes of the war-hawks of 1812, measured by the more temperate purposes of

[1] *A Great Peace Maker: The Dairy of James Gallatin* (1914), p. 36.

President Madison, the Treaty of Ghent was a confession of national weakness and humiliating failure. Clay, whose voice had been loudest for war and whose kindling fancy had pictured American armies dictating terms of surrender at Quebec, set his signature to a document which redressed not a single grievance and added not a foot of territory to the United States. Adams, who had denounced Great Britain for the crime of "man-stealing," accepted a treaty of peace which contained not a syllable about impressment. President Madison, who had reluctantly accepted war as the last means of escape from the blockade of American ports and the ruin of neutral trade, recommended the ratification of a convention which did not so much as mention maritime questions and the rights of neutrals.

Peace — and nothing more? Much more, indeed, than appears in rubrics on parchment. The Treaty of Ghent must be interpreted in the light of more than a hundred years of peace between the two great branches of the English-speaking race. More conscious of their differences than anything else, no doubt, these eight peacemakers at Ghent nevertheless spoke a common tongue and shared a common English trait: they laid firm hold on realities.

Like practical men they faced the year 1815 and not 1812. In a pacified Europe rid of the Corsican, questions of maritime practice seemed dead issues. Let the dead past bury its dead! To remove possible causes of future controversy seemed wiser statesmanship than to rake over the embers of quarrels which might never be rekindled. So it was that in prosaic articles they provided for three commissions to arbitrate boundary controversies at critical points in the far-flung frontier between Canada and the United States, and thus laid the foundations of an international accord which has survived a hundred years.

CHAPTER XIII

SPANISH DERELICTS IN THE NEW WORLD

It fell to the last, and perhaps least talented, President of the Virginia Dynasty to consummate the work of Jefferson and Madison by a final settlement with Spain which left the United States in possession of the Floridas. In the diplomatic service James Monroe had exhibited none of those qualities which warranted the expectation that he would succeed where his predecessors had failed. On his missions to England and Spain, indeed, he had been singularly inept, but he had learned much in the rude school of experience, and he now brought to his new duties discretion, sobriety, and poise. He was what the common people held him to be — a faithful public servant, deeply and sincerely republican, earnestly desirous to serve the country which he loved.

The circumstances of Monroe's election pledged him to a truly national policy. He had received

the electoral votes of all but three States.[1] He was now President of an undivided country, not merely a Virginian fortuitously elevated to the chief magistracy and regarded as alien in sympathy to the North and East. Any doubts on this point were dispelled by the popular demonstrations which greeted him on his tour through Federalist strongholds in the Northeast. "I have seen enough," he wrote in grateful recollection, "to satisfy me that the great mass of our fellow-citizens in the Eastern States are as firmly attached to the union and republican government as I have always believed or could desire them to be." The newssheets which followed his progress from day to day coined the phrase, "era of good feeling," which has passed current ever since as a characterization of his administration.

It was in this admirable temper and with this broad national outlook that Monroe chose his advisers and heads of departments. He was well aware of the common belief that his predecessors had appointed Virginians to the Secretaryship of State in order to prepare the way for their succession to the Presidency. He was determined,

[1] Monroe received 183 electoral votes and Rufus King, 34—the votes of Massachusetts, Connecticut, and Delaware.

therefore, to avert the suspicion of sectional bias by selecting some one from the Eastern States, rather than from the South or from the West, hitherto so closely allied to the South. His choice fell upon John Quincy Adams, "who by his age, long experience in our foreign affairs, and adoption into the Republican party," he assured Jefferson, "seems to have superior pretentions." It was an excellent appointment from every point of view but one. Monroe had overlooked — and the circumstance did him infinite credit — the exigencies of politics and passed over an individual whose vaulting ambition had already made him an aspirant to the Presidency. Henry Clay was grievously disappointed and henceforward sulked in his tent, refusing the Secretaryship of War which the President tendered. Eventually the brilliant young John C. Calhoun took this post. This South Carolinian was in the prime of life, full of fire and dash, ardently patriotic, and nationally-minded to an unusual degree. Of William H. Crawford of Georgia, who retained the Secretaryship of the Treasury, little need be said except that he also was a presidential aspirant who saw things always from the angle of political expediency. Benjamin W. Crowninshield as Secretary of the Navy and William Wirt

as Attorney-General completed the circle of the President's intimate advisers.

The new Secretary of State had not been in office many weeks before he received a morning call from Don Luis de Onis, the Spanish Minister, who was laboring under ill-disguised excitement. It appeared that his house in Washington had been repeatedly "insulted" of late — windows broken, lamps in front of the house smashed, and one night a dead fowl tied to his bell-rope. This last piece of vandalism had been too much for his equanimity. He held it a gross insult to his sovereign and the Spanish monarchy, importing that they were of no more consequence than a dead old hen! Adams, though considerably amused, endeavored to smooth the ruffled pride of the chevalier by suggesting that these were probably only the tricks of some mischievous boys; but De Onis was not easily appeased. Indeed, as Adams was himself soon to learn, the American public did regard the Spanish monarchy as a dead old hen, and took no pains to disguise its contempt. Adams had yet to learn the long train of circumstances which made Spanish relations the most delicate and difficult of all the diplomatic problems in his office.

With his wonted industry, Adams soon made

himself master of the facts relating to Spanish diplomacy. For the moment interest centered on East Florida. Carefully unraveling the tangled skein of events, Adams followed the thread which led back to President Madison's secret message to Congress of January 3, 1811, which was indeed one of the landmarks in American policy. Madison had recommended a declaration "that the United States could not see without serious inquietude any part of a neighboring territory [like East Florida] in which they have in different respects so deep and so just a concern pass from the hands of Spain into those of any other foreign power." To prevent the possible subversion of Spanish authority in East Florida and the occupation of the province by a foreign power — Great Britain was, of course, the power the President had in mind — he had urged Congress to authorize him to take temporary possession "in pursuance of arrangements which may be desired by the Spanish authorities." Congress had responded with alacrity and empowered the President to occupy East Florida in case the local authorities should consent or a foreign power should attempt to occupy it. With equal dispatch the President had sent two agents, General George Matthews and Colonel

John McKee, on one of the strangest missions in the border history of the United States.

East Florida — Adams found, pursuing his inquiries into the archives of the department — included the two important ports of entry, Pensacola on the Gulf and Fernandina on Amelia Island, at the mouth of the St. Mary's River. The island had long been a notorious resort for smugglers. Hither had come British and American vessels with cargoes of merchandise and slaves, which found their way in mysterious fashion to consignees within the States. A Spanish garrison of ten men was the sole custodian of law and order on the island. Up and down the river was scattered a lawless population of freebooters, who were equally ready to raid a border plantation or to raise the Jolly Roger on some piratical cruise. To this No Man's Land — fertile recruiting ground for all manner of filibustering expeditions — General Matthews and Colonel McKee had betaken themselves in the spring of 1811, bearing some explicit instructions from President Madison but also some very pronounced convictions as to what they were expected to accomplish. Matthews, at least, understood that the President wished a revolution after the West Florida model. He assured the Administration —

Adams read the precious missive in the files of his office — that he could do the trick. Only let the Government consign two hundred stand of arms and fifty horsemen's swords to the commander at St. Mary's, and he would guarantee to put the revolution through without committing the United States in any way.

The melodrama had been staged for the following spring (1812). Some two hundred "patriots" recruited from the border people gathered near St. Mary's with souls yearning for freedom; and while American gunboats took a menacing position, this force of insurgents had landed on Amelia Island and summoned the Spanish commandant to surrender. Not willing to spoil the scene by vulgar resistance, the commandant capitulated and marched out his garrison, ten strong, with all the honors of war. The Spanish flag had been hauled down to give place to the flag of the insurgents, bearing the inspiring motto *Salus populi — suprema lex.* Then General Matthews with a squad of regular United States troops had crossed the river and taken possession. Only the benediction of the Government at Washington was lacking to make the success of his mission complete; but to the general's consternation no approving message came, only

a peremptory dispatch disavowing his acts and revoking his commission.

As Adams reviewed these events, he could see no other alternative for the Government to have pursued at this moment when war with Great Britain was impending. It would have been the height of folly to break openly with Spain. The Administration had indeed instructed its new agent, Governor Mitchell of Georgia, to restore the island to the Spanish commandant and to withdraw his troops, if he could do so without sacrificing the insurgents to the vengeance of the Spaniards. But the forces set in motion by Matthews were not so easily controlled from Washington. Once having resolved to liberate East Florida, the patriots were not disposed to retire at the nod of the Secretary of State. The Spanish commandant was equally obdurate. He would make no promise to spare the insurgents. The Legislature of Georgia, too, had a mind of its own. It resolved that the occupation of East Florida was essential to the safety of the State, whether Congress approved or no; and the Governor, swept along in the current of popular feeling, summoned troops from Savannah to hold the province. Just at this moment had come the news of war with Great Britain; and Governor, State militia, and

patriots had combined in an effort to prevent East Florida from becoming enemy's territory.

Military considerations had also swept the Administration along the same hazardous course. The occupation of the Floridas seemed imperative. The President sought authorization from Congress to occupy and govern both the Floridas until the vexed question of title could be settled by negotiation. Only a part of this programme had carried, for, while Congress was prepared to approve the military occupation of West Florida to the Perdido River, beyond that it would not go; and so with great reluctance the President had ordered the troops to withdraw from Amelia Island. In the spring of the same year (1813) General Wilkinson had occupied West Florida — the only permanent conquest of the war and that, oddly enough, the conquest of a territory owned and held by a power with which the United States was not at war.

Abandoned by the American troops, Amelia Island had become a rendezvous for outlaws from every part of the Americas. Just about the time that Adams was crossing the ocean to take up his duties at the State Department, one of these buccaneers by the name of Gregor MacGregor descended upon the island as "Brigadier General of

the Armies of the United Provinces of New Granada and Venezuela, and General-in-chief of that destined to emancipate the provinces of both Floridas, under the commission of the Supreme Government of Mexico and South America." This pirate was soon succeeded by General Aury, who had enjoyed a wild career among the buccaneers of Galveston Bay, where he had posed as military governor under the Republic of Mexico. East Florida in the hands of such desperadoes was a menace to the American border.

Approaching the problem of East Florida without any of the prepossessions of those who had been dealing with Spanish envoys for a score of years, the new Secretary of State was prepared to move directly to his goal without any too great consideration for the feelings of others. His examination of the facts led him to a clean-cut decision: this nest of pirates must be broken up at once. His energy carried President and Cabinet along with him. It was decided to send troops and ships to the St. Mary's and if necessary to invest Fernandina. This demonstration of force sufficed; General Aury departed to conquer new worlds, and Amelia Island was occupied for the second time without bloodshed.

But now, having grasped the nettle firmly, what

was the Administration to do with it? De Onis promptly registered his protest; the opposition in Congress seized upon the incident to worry the President; many of the President's friends thought that he had been precipitate. Monroe, indeed, would have been glad to withdraw the troops now that they had effected their object, but Adams was for holding the island in order to force Spain to terms. With a frankness which lacerated the feelings of De Onis, Adams insisted that the United States had acted strictly on the defensive. The occupation of Amelia Island was not an act of aggression but a necessary measure for the protection of commerce — American commerce, the commerce of other nations, the commerce of Spain itself. Now why not put an end to all friction by ceding the Floridas to the United States? What would Spain take for all her possessions east of the Mississippi, Adams asked. De Onis declined to say. Well, then, Adams pursued, suppose the United States should withdraw from Amelia Island, would Spain guarantee that it should not be occupied again by freebooters? No: De Onis could give no such guarantee, but he would write to the Governor of Havana to ascertain if he would send an adequate garrison to Fernandina.

Adams reported this significant conversation to the President, who was visibly shaken by the conflict of opinions within his political household and not a little alarmed at the possibility of war with Spain. The Secretary of State was coolly taking the measure of his chief. "There is a slowness, want of decision, and a spirit of procrastination in the President," he confided to his diary. He did not add, but the thought was in his mind, that he could sway this President, mold him to his heart's desire. In this first trial of strength the hardier personality won: Monroe sent a message to Congress, on January 13, 1818, announcing his intention to hold East Florida for the present, and the arguments which he used to justify this bold course were precisely those of his Secretary of State.

When Adams suggested that Spain might put an end to all her worries by ceding the Floridas, he was only renewing an offer that Monroe had made while he was still Secretary of State. De Onis had then declared that Spain would never cede territory east of the Mississippi unless the United States would relinquish its claims west of that river. Now, to the new Secretary, De Onis intimated that he was ready to be less exacting. He would be willing to run the line farther west and allow the United

States a large part of what is now the State of Louisiana. Adams made no reply to this tentative proposal but bided his time; and time played into his hands in unexpected ways.

To the Secretary's office, one day in June, 1818, came a letter from De Onis which was a veritable firebrand. De Onis, who was not unnaturally disposed to believe the worst of Americans on the border, had heard that General Andrew Jackson in pursuit of the Seminole Indians had crossed into Florida and captured Pensacola and St. Mark's. He demanded to be informed "in a positive, distinct and explicit manner just what had occurred"; and then, outraged by confirmatory reports and without waiting for Adams's reply, he wrote another angry letter, insisting upon the restitution of the captured forts and the punishment of the American general. Worse tidings followed. Bagot, the British Minister, had heard that Jackson had seized and executed two British subjects on Spanish soil. Would the Secretary of State inform him whether General Jackson had been authorized to take Pensacola, and would the Secretary furnish him with copies of the reports of the courts-martial which had condemned these two subjects of His

Majesty? Adams could only reply that he lacked official information.

By the second week in July, dispatches from General Jackson confirmed the worst insinuations and accusations of De Onis and Bagot. President Monroe was painfully embarrassed. Prompt disavowal of the general's conduct seemed the only way to avert war; but to disavow the acts of this popular idol, the victor of New Orleans, was no light matter. He sought the advice of his Cabinet and was hardly less embarrassed to find all but one convinced that "Old Hickory" had acted contrary to instructions and had committed acts of hostility against Spain. A week of anxious Cabinet sessions followed, in which only one voice was raised in defense of the invasion of Florida. All but Adams feared war, a war which the opposition would surely brand as incited by the President without the consent of Congress. No administration could carry on a war begun in violation of the Constitution, said Calhoun. But, argued Adams, the President may authorize defensive acts of hostility. Jackson had been authorized to cross the frontier, if necessary, in pursuit of the Indians, and all the ensuing deplorable incidents had followed as a necessary consequence of Indian warfare.

The conclusions of the Cabinet were summed up by Adams in a reply to De Onis, on the 23d of July, which must have greatly astonished that diligent defender of Spanish honor. Opening the letter to read, as he confidently expected, a disavowal and an offer of reparation, he found the responsibility for the recent unpleasant incidents fastened upon his own country. He was reminded that by the treaty of 1795 both Governments had contracted to restrain the Indians within their respective borders, so that neither should suffer from hostile raids, and that the Governor of Pensacola, when called upon to break up a stronghold of Indians and fugitive slaves, had acknowledged his obligation but had pleaded his inability to carry out the covenant. Then, and then only, had General Jackson been authorized to cross the border and to put an end to outrages which the Spanish authorities lacked the power to prevent. General Jackson had taken possession of the Spanish forts on his own responsibility when he became convinced of the duplicity of the commandant, who, indeed, had made himself "a partner and accomplice of the hostile Indians and of their foreign instigators." Such conduct on the part of His Majesty's officer justified the President in calling for his punishment. But,

in the meantime, the President was prepared to restore Pensacola, and also St. Mark's, whenever His Majesty should send a force sufficiently strong to hold the Indians under control.

Nor did the Secretary of State moderate his tone or abate his demands when Pizarro, the Spanish Minister of Foreign Affairs, threatened to suspend negotiations with the United States until it should give satisfaction for this "shameful invasion of His Majesty's territory" and for these "acts of barbarity glossed over with the forms of justice." In a dispatch to the American Minister at Madrid, Adams vigorously defended Jackson's conduct from beginning to end. The time had come, said he, when "Spain must immediately make her election either to place a force in Florida adequate at once to the protection of her territory and to the fulfilment of her engagements or cede to the United States a province of which she retains nothing but the nominal possession, but which is in fact a derelict, open to the occupancy of every enemy, civilized or savage, of the United States and serving no other earthly purpose, than as a post of annoyance to them."

This affront to Spanish pride might have ended abruptly a chapter in Spanish-American diplomacy

but for the friendly offices of Hyde de Neuville, the French Minister at Washington, whose Government could not view without alarm the possibility of a rupture between the two countries. It was Neuville who labored through the summer months of this year, first with Adams, then with De Onis, tempering the demands of the one and placating the pride of the other, but never allowing intercourse to drop. Adams was right, and both Neuville and De Onis knew it; the only way to settle outstanding differences was to cede these Spanish derelicts in the New World to the United States.

To bring and keep together these two antithetical personalities, representatives of two opposing political systems, was no small achievement. What De Onis thought of his stubborn opponent may be surmised; what the American thought of the Spaniard need not be left to conjecture. In the pages of his diary Adams painted the portrait of his adversary as he saw him — "cold, calculating, wily, always commanding his temper, proud because he is a Spaniard but supple and cunning, accommodating the tone of his pretensions precisely to the degree of endurance of his opponents, bold and overbearing to the utmost extent to which it is

tolerated, careless of what he asserts or how grossly it is proved to be unfounded."

The history of the negotiations running through the fall and winter is a succession of propositions and counter-propositions, made formally by the chief participants or tentatively and informally through Neuville. The western boundary of the Louisiana purchase was the chief obstacle to agreement. Each sparred for an advantage; each made extreme claims; and each was persuaded to yield a little here and a little there, slowly narrowing the bounds of the disputed territory. More than once the President and the Cabinet believed that the last concession had been extorted and were prepared to yield on other matters. When the President was prepared, for example, to accept the hundredth meridian and the forty-third parallel, Adams insisted on demanding the one hundred and second and the forty-second; and "after a long and violent struggle," wrote Adams, "he [De Onis] . . . agreed to take longitude one hundred from the Red River to the Arkansas, and latitude forty-two from the source of the Arkansas to the South Sea." This was a momentous decision, for the United States acquired thus whatever claim Spain had to the northwest coast

but sacrificed its claim to Texas for the possession of the Floridas.

Vexatious questions still remained to be settled. The spoliation claims which were to have been adjusted by the convention of 1802 were finally left to a commission, the United States agreeing to assume all obligations to an amount not exceeding five million dollars. De Onis demurred at stating this amount in the treaty: he would be blamed for having betrayed the honor of Spain by selling the Floridas for a paltry five millions. To which Adams replied dryly that he ought to boast of his bargain instead of being ashamed of it, since it was notorious that the Floridas had always been a burden to the Spanish exchequer. Negotiations came to a standstill again when Adams insisted that certain royal grants of land in the Floridas should be declared null and void. He feared, and not without reason, that these grants would deprive the United States of the domain which was to be used to pay the indemnities assumed in the treaty. De Onis resented the demand as "offensive to the dignity and imprescriptible rights of the Crown of Spain"; and once again Neuville came to the rescue of the treaty and persuaded both parties to agree to a compromise. On the understanding that the

royal grants in question had been made subsequent to January 24, 1818, Adams agreed that all grants made since that date (when the first proposal was made by His Majesty for the cession of the Floridas) should be declared null and void; and that all grants made before that date should be confirmed.

On the anniversary of Washington's birthday, De Onis and Adams signed the treaty which carried the United States to its natural limits on the southeast. The event seemed to Adams to mark "a great epocha in our history." "It was near one in the morning," he recorded in his diary, "when I closed the day with ejaculations of fervent gratitude to the Giver of all good. It was, perhaps, the most important day of my life. . . . Let no idle and unfounded exultation take possession of my mind, as if I would ascribe to my own foresight or exertions any portion of the event." But misgivings followed hard on these joyous reflections. The treaty had still to be ratified, and the disposition of the Spanish Cortes was uncertain. There was, too, considerable opposition in the Senate. "A watchful eye, a resolute purpose, a calm and patient temper, and a favoring Providence will all be as indispensable for the future as they

have been for the past in the management of this negotiation," Adams reminded himself. He had need of all these qualities in the trying months that followed.

CHAPTER XIV

FRAMING AN AMERICAN POLICY

THE decline and fall of the Spanish Empire does not challenge the imagination like the decline and fall of that other Empire with which alone it can be compared, possibly because no Gibbon has chronicled its greatness. Yet its dissolution affected profoundly the history of three continents. While the Floridas were slipping from the grasp of Spain, the provinces to the south were wrenching themselves loose, with protestations which penetrated to European chancelries as well as to American legislative halls. To Czar Alexander and Prince Metternich, sponsors for the Holy Alliance and preservers of the peace of Europe, these declarations of independence contained the same insidious philosophy of revolution which they had pledged themselves everywhere to combat. To simple American minds, the familiar words liberty and independence in the mouths of South American

patriots meant what they had to their own grandsires, struggling to throw off the shackles of British imperial control. Neither Europe nor America, however, knew the actual conditions in these newborn republics below the equator; and both governed their conduct by their prepossessions.

To the typically American mind of Henry Clay, now untrammeled by any sense of responsibility, for he was a free lance in the House of Representatives once more, the emancipation of South America was a thrilling and sublime spectacle — "the glorious spectacle of eighteen millions of people struggling to burst their chains and to be free." In a memorable speech in 1818 he had expressed the firm conviction that there could be but one outcome to this struggle. Independent these South American states would be. Equally clear to his mind was their political destiny. Whatever their forms of government, they would be animated by an American feeling and guided by an American policy. "They will obey the laws of the system of the new world, of which they will compose a part, in contradistinction to that of Europe." To this struggle and to this destiny the United States could not remain indifferent. He would not have the Administration depart from its policy of strict

and impartial neutrality but he would urge the expediency — nay, the justice — of recognizing established governments in Spanish America. Such recognition was not a breach of neutrality, for it did not imply material aid in the wars of liberation but only the moral sympathy of a great free people for their southern brethren.

Contrasted with Clay's glowing enthusiasm, the attitude of the Administration, directed by the prudent Secretary of State, seemed cold, calculating, and rigidly conventional. For his part, Adams could see little resemblance between these revolutions in South America and that of 1776. Certainly it had never been disgraced by such acts of buccaneering and piracy as were of everyday occurrence in South American waters. The United States had contended for civil rights and then for independence; in South America civil rights had been ignored by all parties. He could discern neither unity of cause nor unity of effort in the confused history of recent struggles in South America; and until orderly government was achieved, with due regard to fundamental civil rights, he would not have the United States swerve in the slightest degree from the path of strict neutrality. Mr. Clay, he observed in his diary, had "mounted his

South American great horse . . . to control or overthrow the executive."

President Monroe, however, was more impressionable, more responsive to popular opinion, and at this moment (as the presidential year approached) more desirous to placate the opposition. He agreed with Adams that the moment had not come when the United States alone might safely recognize the South American states, but he believed that concerted action by the United States and Great Britain might win recognition without wounding the sensibilities of Spain. The time was surely not far distant when Spain would welcome recognition as a relief from an impoverishing and hopeless war. Meanwhile the President coupled professions of neutrality and expressions of sympathy for the revolutionists in every message to Congress.

The temporizing policy of the Administration aroused Clay to another impassioned plea for those southern brethren whose hearts — despite all rebuffs from the Department of State — still turned toward the United States. "We should become the center of a system which would constitute the rallying point of human freedom against the despotism of the Old World. . . . Why not proceed to act on our own responsibility and recognize these

governments as independent, instead of taking the lead of the Holy Alliance in a course which jeopardizes the happiness of unborn millions?" He deprecated this deference to foreign powers. "If Lord Castlereagh says we may recognize, we do; if not, we do not. . . . Our institutions now make us free; but how long shall we continue so, if we mold our opinions on those of Europe? Let us break these commercial and political fetters; let us no longer watch the nod of any European politician; let us become real and true Americans, and place ourselves at the head of the American system."

The question of recognition was thus thrust into the foreground of discussion at a most inopportune time. The Florida treaty had not yet been ratified, for reasons best known to His Majesty the King of Spain, and the new Spanish Minister, General Vivés, had just arrived in the United States to ask for certain explanations. The Administration had every reason at this moment to wish to avoid further causes of irritation to Spanish pride. It is more than probable, indeed, that Clay was not unwilling to embarrass the President and his Secretary of State. He still nursed his personal grudge against the President and he did not disguise his hostility to the treaty. What aroused

his resentment was the sacrifice of Texas for Florida. Florida would have fallen to the United States eventually like ripened fruit, he believed. Why, then, yield an incomparably richer and greater territory for that which was bound to become theirs whenever the American people wished to take it?

But what were the explanations which Vivés demanded? Weary hours spent in conference with the wily Spaniard convinced Adams that the great obstacle to the ratification of the treaty by Spain had been the conviction that the United States was only waiting ratification to recognize the independence of the Spanish colonies. Bitterly did Adams regret the advances which he had made to Great Britain, at the instance of the President, and still more bitterly did he deplore those paragraphs in the President's messages which had expressed an all too ready sympathy with the aims of the insurgents. But regrets availed nothing and the Secretary of State had to put the best face possible on the policy of the Administration. He told Vivés in unmistakable language that the United States could not subscribe to "new engagements as the price of obtaining the ratification of the old." Certainly the United States would not comply with the Spanish demand and pledge itself "to form no

relations with the pretended governments of the revolted provinces of Spain." As for the royal grants which De Onis had agreed to call null and void, if His Majesty insisted upon their validity, perhaps the United States might acquiesce for an equivalent area west of the Sabine River. In some alarm Vivés made haste to say that the King did not insist upon the confirmation of these grants. In the end he professed himself satisfied with Mr. Adams's explanations; he would send a messenger to report to His Majesty and to secure formal authorization to exchange ratifications.

Another long period of suspense followed. The Spanish Cortes did not advise the King to accept the treaty until October; the Senate did not reaffirm its ratification until the following February; and it was two years to a day after the signing of the treaty that Adams and Vivés exchanged formal ratifications. Again Adams confided to the pages of his diary, so that posterity might read, the conviction that the hand of an Overruling Providence was visible in this, the most important event of his life.

If, as many thought, the Administration had delayed recognition of the South American republics in order not to offend Spanish feelings while the

Florida treaty was under consideration, it had now no excuse for further hesitation; yet it was not until March 8, 1822, that President Monroe announced to Congress his belief that the time had come when those provinces of Spain which had declared their independence and were in the enjoyment of it should be formally recognized. On the 19th of June he received the accredited *chargé d'affaires* of the Republic of Colombia.

The problem of recognition was not the only one which the impending dissolution of the Spanish colonial empire left to harass the Secretary of State. Just because Spain had such vast territorial pretensions and held so little by actual occupation on the North American continent, there was danger that these shadowy claims would pass into the hands of aggressive powers with the will and resources to aggrandize themselves. One day in January, 1821, while Adams was awaiting the outcome of his conferences with Vivés, Stratford Canning, the British Minister, was announced at his office. Canning came to protest against what he understood was the decision of the United States to extend its settlements at the mouth of the Columbia River. Adams replied that he knew of no such

determination; but he deemed it very probable that the settlements on the Pacific coast would be increased. Canning expressed rather ill-natured surprise at this statement, for he conceived that such a policy would be a palpable violation of the Convention of 1818. Without replying, Adams rose from his seat to procure a copy of the treaty and then read aloud the parts referring to the joint occupation of the Oregon country. A stormy colloquy followed in which both participants seem to have lost their tempers. Next day Canning returned to the attack, and Adams challenged the British claim to the mouth of the Columbia. "Why," exclaimed Canning, "do you not *know* that we have a claim?" "I do not *know*," said Adams, "what you claim nor what you do not claim. You claim India; you claim Africa; you claim —" "Perhaps," said Canning, "a piece of the moon." "No," replied Adams, "I have not heard that you claim exclusively any part of the moon; but there is not a spot on *this* habitable globe that I could affirm you do not claim; and there is none which you may not claim with as much color of right as you can have to Columbia River or its mouth."

With equal sang-froid, the Secretary of State

met threatened aggression from another quarter. In September of this same year, the Czar issued a ukase claiming the Pacific coast as far south as the fifty-first parallel and declaring Bering Sea closed to the commerce of other nations. Adams promptly refused to recognize these pretensions and declared to Baron de Tuyll, the Russian Minister, "that we should contest the right of Russia to *any* territorial establishment on this continent, and that we should assume distinctly the principle that the American continents are no longer subjects for *any* new European colonial establishments."[1]

Not long after this interview Adams was notified by Baron Tuyll that the Czar, in conformity with the political principles of the allies, had determined in no case whatever to receive any agent from the Government of the Republic of Colombia or from any other government which owed its existence to the recent events in the New World. Adams's first impulse was to pen a reply that would show the inconsistency between these political principles and the unctuous professions of Christian duty which had resounded in the Holy Alliance; but the

[1] Before Adams retired from office, he had the satisfaction of concluding a treaty (1824) with Russia by which the Czar abandoned his claims to exclusive jurisdiction in Bering Sea and agreed to plant no colonies on the Pacific Coast south of 54° 40′.

note which he drafted was, perhaps fortunately, not dispatched until it had been revised by President and Cabinet a month later, under stress of other circumstances.

At still another focal point the interests of the United States ran counter to the covetous desires of European powers. Cuba, the choicest of the provinces of Spain, still remained nominally loyal; but, should the hold of Spain upon this Pearl of the Antilles relax, every maritime power would swoop down upon it. The immediate danger, however, was not that revolution would here as elsewhere sever the province from Spain, leaving it helpless and incapable of self-support, but that France, after invading Spain and restoring the monarchy, would also intervene in the affairs of her provinces. The transfer of Cuba to France by the grateful King was a possibility which haunted the dreams of George Canning at Westminster as well as of John Quincy Adams at Washington. The British Foreign Minister attempted to secure a pledge from France that she would not acquire any Spanish-American territory either by conquest or by treaty, while the Secretary of State instructed the American Minister to Spain not to conceal from the Spanish Government "the repugnance of the

United States to the transfer of the Island of Cuba by Spain to any other power." Canning was equally fearful lest the United States should occupy Cuba and he would have welcomed assurances that it had no designs upon the island. Had he known precisely the attitude of Adams, he would have been still more uneasy, for Adams was perfectly sure that Cuba belonged "by the laws of political as well as of physical gravitation" to the North American continent, though he was not for the present ready to assist the operation of political and physical laws.

Events were inevitably detaching Great Britain from the concert of Europe and putting her in opposition to the policy of intervention, both because of what it meant in Spain and what it might mean when applied to the New World. Knowing that the United States shared these latter apprehensions, George Canning conceived that the two countries might join in a declaration against any project by any European power for subjugating the colonies of South America either on behalf or in the name of Spain. He ventured to ask Richard Rush, American Minister at London, what his government would say to such a proposal. For his part he was quite willing to state publicly that he believed the

recovery of the colonies by Spain to be hopeless; that recognition of their independence was only a question of proper time and circumstance; that Great Britain did not aim at the possession of any of them, though she could not be indifferent to their transfer to any other power. "If," said Canning, "these opinions and feelings are, as I firmly believe them to be, common to your government with ours, why should we hesitate mutually to confide them to each other; and to declare them in the face of the world?"

Why, indeed? To Rush there occurred one good and sufficient answer, which, however, he could not make: he doubted the disinterestedness of Great Britain. He could only reply that he would not feel justified in assuming the responsibility for a joint declaration unless Great Britain would first unequivocally recognize the South American republics; and, when Canning balked at the suggestion, he could only repeat, in as conciliatory manner as possible, his reluctance to enter into any engagement. Not once only but three times Canning repeated his overtures, even urging Rush to write home for powers and instructions.

The dispatches of Rush seemed so important to President Monroe that he sent copies of them to

Jefferson and Madison, with the query — which revealed his own attitude — whether the moment had not arrived when the United States might safely depart from its traditional policy and meet the proposal of the British Government. If there was one principle which ran consistently through the devious foreign policy of Jefferson and Madison, it was that of political isolation from Europe. "Our first and fundamental maxim," Jefferson wrote in reply, harking back to the old formulas, "should be never to entangle ourselves in the broils of Europe, our second never to suffer Europe to intermeddle with Cis-Atlantic affairs." He then continued in this wise:

America, North and South, has a set of interests distinct from those of Europe, and peculiarly her own. She should therefore have a system of her own, separate and apart from that of Europe. While the last is laboring to become the domicile of despotism, our endeavor should surely be, to make our hemisphere that of freedom. One nation, most of all, could disturb us in this pursuit; she now offers to lead, aid, and accompany us in it. By acceding to her proposition, we detach her from the band of despots, bring her mighty weight into the scale of free government and emancipate a continent at one stroke which might otherwise linger long in doubt and difficulty. . . . I am clearly of Mr. Canning's opinion, that it will prevent,

instead of provoking war. With Great Britain withdrawn from their scale and shifted into that of our two continents, all Europe combined would not undertake such a war. . . . Nor is the occasion to be slighted which this proposition offers, of declaring our protest against the atrocious violations of the rights of nations, by the interference of any one in the internal affairs of another, so flagitiously begun by Buonaparte, and now continued by the equally lawless alliance, calling itself Holy.

Madison argued the case with more reserve but arrived at the same conclusion: "There ought not to be any backwardness therefore, I think, in meeting her [England] in the way she has proposed." The dispatches of Rush produced a very different effect, however, upon the Secretary of State, whose temperament fed upon suspicion and who now found plenty of food for thought both in what Rush said and in what he did not say. Obviously Canning was seeking a definite compact with the United States against the designs of the allies, not out of any altruistic motive but for selfish ends. Great Britain, Rush had written bluntly, had as little sympathy with popular rights as it had on the field of Lexington. It was bent on preventing France from making conquests, not on making South America free. Just so, Adams reasoned: Canning

desires to secure from the United States a public pledge "ostensibly against the forcible interference of the Holy Alliance between Spain and South America; but really or especially against the acquisition to the United States themselves of any part of the Spanish-American possessions." By joining with Great Britain we would give her a "substantial and perhaps inconvenient pledge against ourselves, and really obtain nothing in return." He believed that it would be more candid and more dignified to decline Canning's overtures and to avow our principles explicitly to Russia and France. For his part he did not wish the United States "to come in as a cock-boat in the wake of the British man-of-war!"

Thus Adams argued in the sessions of the Cabinet, quite ignorant of the correspondence which had passed between the President and his mentors. Confident of his ability to handle the situation, he asked no more congenial task than to draft replies to Baron Tuyll and to Canning and instructions to the ministers at London, St. Petersburg, and Paris; but he impressed upon Monroe the necessity of making all these communications "part of a combined system of policy and adapted to each other." Not so easily, however, was the President detached

from the influence of the two Virginia oracles. He took sharp exception to the letter which Adams drafted in reply to Baron Tuyll, saying that he desired to refrain from any expressions which would irritate the Czar; and thus turned what was to be an emphatic declaration of principles into what Adams called "the tamest of state papers."

The Secretary's draft of instructions to Rush had also to run the gauntlet of amendment by the President and his Cabinet; but it emerged substantially unaltered in content and purpose. Adams professed to find common ground with Great Britain, while pointing out with much subtlety that if she believed the recovery of the colonies by Spain was really hopeless, she was under moral obligation to recognize them as independent states and to favor only such an adjustment between them and the mother country as was consistent with the fact of independence. The United States was in perfect accord with the principles laid down by Mr. Canning: it desired none of the Spanish possessions for itself but it could not see with indifference any portion of them transferred to any other power. Nor could the United States see with indifference "any attempt by one or more powers of Europe to restore those new states to the crown of Spain, or to deprive

them, in any manner whatever, of the freedom and independence which they have acquired." But, for accomplishing the purposes which the two governments had in common — and here the masterful Secretary of State had his own way — it was advisable *that they should act separately*, each making such representations to the continental allies as circumstances dictated.

Further communications from Baron Tuyll gave Adams the opportunity, which he had once lost, of enunciating the principles underlying American policy. In a masterly paper dated November 27, 1823, he adverted to the declaration of the allied monarchs that they would never compound with revolution but would forcibly interpose to guarantee the tranquillity of civilized states. In such declarations "the President," wrote Adams, "wishes to perceive sentiments, the application of which is limited, and intended in their results to be limited to the affairs of Europe. . . . The United States of America, and their government, could not see with indifference, the forcible interposition of any European Power, other than Spain, either to restore the dominion of Spain over her emancipated Colonies in America, or to establish Monarchical Governments in those Countries, or to transfer

any of the possessions heretofore or yet subject to Spain in the American Hemisphere, to any other European Power."

But so little had the President even yet grasped the wide sweep of the policy which his Secretary of State was framing that, when he read to the Cabinet a first draft of his annual message, he expressed his pointed disapprobation of the invasion of Spain by France and urged an acknowledgment of Greece as an independent nation. This declaration was, as Adams remarked, a call to arms against all Europe. And once again he urged the President to refrain from any utterance which might be construed as a pretext for retaliation by the allies. If they meant to provoke a quarrel with the United States, the administration must meet it and not invite it. "If they intend now to interpose by force, we shall have as much as we can do to prevent them," said he, "without going to bid them defiance in the heart of Europe." "The ground I wish to take," he continued, "is that of earnest remonstrance against the interference of the European powers by force with South America, but to disclaim all interference on our part with Europe; to make an American cause and adhere inflexibly to that." In the end Adams had his way and the

JAMES MADISON, AGED 82

Engraving by T. B. Welch after a drawing from life by J. B. Longacre, at Montpelier, 1833. In *The National Portrait Gallery of Distinguished Americans.*

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[illegible] American cause and adhere inflexibly to [illegible]" In the end Adams had his way and the

President revised the paragraphs dealing with foreign affairs so as to make them conform to Adams's desires.

No one who reads the message which President Monroe sent to Congress on December 2, 1823, can fail to observe that the paragraphs which have an enduring significance as declarations of policy are anticipated in the masterly state papers of the Secretary of State. Alluding to the differences with Russia in the Pacific Northwest, the President repeated the principle which Adams had stated to Baron Tuyll: "The occasion has been judged proper for asserting, as a principle in which the rights and interests of the United States are involved, that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European powers." And the vital principle of abstention from European affairs and of adherence to a distinctly American system, for which Adams had contended so stubbornly, found memorable expression in the following paragraph:

> In the wars of the European powers in matters relating to themselves we have never taken any part, nor does it comport with our policy so to do. It is only when

our rights are invaded or seriously menaced that we resent injuries or make preparations for our defense. With the movements in this hemisphere we are of necessity more immediately connected, and by causes which must be obvious to all enlightened and impartial observers. The political system of the allied powers is essentially different in this respect from that of America. This difference proceeds from that which exists in their respective Governments; and to the defense of our own, which has been achieved by the loss of so much blood and treasure, and matured by the wisdom of their most enlightened citizens, and under which we have enjoyed unexampled felicity, this whole nation is devoted. We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies and dependencies of any European power we have not interfered and shall not interfere. But with the Governments who have declared their independence and maintained it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power in any other light than as the manifestation of an unfriendly disposition toward the United States.

Later generations have read strange meanings into Monroe's message, and have elevated into a

"doctrine" those declarations of policy which had only an immediate application. With the interpretations and applications of a later day, this book has nothing to do. Suffice it to say that President Monroe and his advisers accomplished their purposes; and the evidence that they were successful is contained in a letter which Richard Rush wrote to the Secretary of State, on December 27, 1823:

> But the most decisive blow to all despotick interference with the new States is that which it has received in the President's Message at the opening of Congress. It was looked for here with extraordinary interest at this juncture, and I have heard that the British packet which left New York the beginning of this month was instructed to wait for it and bring it over with all speed. . . . On its publicity in London . . . the credit of all the Spanish American securities immediately rose, and the question of the final and complete safety of the new States from all European coercion, is now considered as at rest.

CHAPTER XV

THE END OF AN ERA

It was in the midst of the diplomatic contest for the Floridas that James Monroe was for the second time elected to the Presidency, with singularly little display of partisanship. This time all the electoral votes but one were cast for him. Of all the Presidents only George Washington has received a unanimous vote; and to Monroe, therefore, belongs the distinction of standing second to the Father of his Country in the vote of electors. The single vote which Monroe failed to get fell to his Secretary of State, John Quincy Adams. It is a circumstance of some interest that the father of the Secretary, old John Adams, so far forgot his Federalist antecedents that he served as Republican elector in Massachusetts and cast his vote for James Monroe. Never since parties emerged in the second administration of Washington had such extraordinary unanimity prevailed.

Across this scene of political harmony, however, the Missouri controversy cast the specter-like shadow of slavery. For the moment, and often in after years, it seemed inevitable that parties would spring into new vigor following sectional lines. All patriots were genuinely alarmed. "This momentous question," wrote Jefferson, "like a fire bell in the night, awakened and filled me with terror. I considered it at once as the knell of the Union. It is hushed, indeed, for the moment. But this is a reprieve only, not a final sentence."

What Jefferson termed a reprieve was the settlement of the Missouri question by the compromise of 1820. To the demands of the South that Missouri should be admitted into the Union as a slave State, with the constitution of her choice, the North yielded, on condition that the rest of the Louisiana Purchase north of 36° 30′ should be forever free. Henceforth slaveholders might enter Missouri and the rest of the old province of Louisiana below her southern boundary line, but beyond this line, into the greater Northwest, they might not take their human chattels. To this act of settlement President Monroe gave his assent, for he believed that further controversy would shake the Union to its very foundations.

With the angry criminations and recriminations of North and South ringing in his ears, Jefferson had little faith in the permanency of such a settlement. "A geographical line," said he, "coinciding with a marked principle, moral and political, once conceived and held up to the angry passions of men, will never be obliterated; and every new irritation will mark it deeper and deeper." And Madison, usually optimistic about the future of his beloved country, indulged only the gloomiest forebodings about slavery. Both the ex-Presidents took what comfort they could in projects of emancipation and deportation. Jefferson would have had slaveholders yield up slaves born after a certain date to the guardianship of the State, which would then provide for their removal to Santo Domingo at a proper age. Madison took heart at the prospect opened up by the Colonization Society which he trusted would eventually end "this dreadful calamity" of human slavery. Fortunately for their peace of mind, neither lived to see these frail hopes dashed to pieces.

Signs were not wanting that statesmen of the Virginia school were not to be leaders in the new era which was dawning. On several occasions both Madison and Monroe had shown themselves out

of touch with the newer currents of national life. Their point of view was that of the epoch which began with the French Revolution and ended with the overthrow of Napoleon and the pacification of Europe. Inevitably foreign affairs had absorbed their best thought. To maintain national independence against foreign aggression had been their constant purpose, whether the menace came from Napoleon's designs upon Louisiana, or from British disregard of neutral rights, or from Spanish helplessness on the frontiers of her Empire. But now, with political and commercial independence assured, a new direction was imparted to national endeavor. America made a volte-face and turned to the setting sun.

During the second quarter of the nineteenth century every ounce of national vitality went into the conquest and settlement of the Mississippi Valley. Once more at peace with the world, Americans set themselves to the solution of the problems which grew out of this vast migration from the Atlantic seaboard to the interior. These were problems of territorial organization, of distribution of public lands, of inland trade, of highways and waterways, of revenue and appropriation — problems that focused in the offices of the Secretaries of

the Treasury and of War. And lurking behind all was the specter of slavery and sectionalism.

To impatient homeseekers who crossed the Alleghanies, it never occurred to question the competence of the Federal Government to meet all their wants. That the Government at Washington should construct and maintain highways, improve and facilitate the navigation of inland waterways, seemed a most reasonable expectation. What else was government for? But these proposed activities did not seem so obviously legitimate to Presidents of the Virginia Dynasty; not so readily could they waive constitutional scruples. Madison felt impelled to veto a bill for constructing roads and canals and improving waterways because he could find nowhere in the Constitution any specific authority for the Federal Government to embark on a policy of internal improvements. His last message to Congress set forth his objections in detail and was designed to be his farewell address. He would rally his party once more around the good old Jeffersonian doctrines. Monroe felt similar doubts when he was presented with a bill to authorize the collection of tolls on the new Cumberland Road. In a veto message of prodigious length he, too, harked back to the original Republican principle of

strict construction of the Constitution. The leadership which the Virginians thus refused to take fell soon to men of more resolute character who would not let the dead hand of legalism stand between them and their hearts' desires.

It is one of the ironies of American history that the settlement of the Mississippi Valley and of the Gulf plains brought acute pecuniary distress to the three great Virginians who had bent all their energies to acquire these vast domains. The lure of virgin soil drew men and women in ever increasing numbers from the seaboard States. Farms that had once sufficed were cast recklessly on the market to bring what they would, while their owners staked their claims on new soil at a dollar and a quarter an acre. Depreciation of land values necessarily followed in States like Virginia; and the three ex-Presidents soon found themselves land-poor. In common with other planters, they had invested their surplus capital in land, only to find themselves unable to market their crops in the trying days of the Embargo and Non-Intercourse Acts. They had suffered heavy losses from the British blockade during the war, and they had not fully recovered from these reverses when the general fall

of prices came in 1819. Believing that they were facing only a temporary condition, they met their difficulties by financial expedients which in the end could only add to their burdens.

A general reluctance to change their manner of life and to practice an intensive agriculture with diversified crops contributed, no doubt, to the general depression of planters in the Old Dominion. Jefferson at Monticello, Madison at Montpelier, and to a lesser extent Monroe at Oak Hill, maintained their old establishments and still dispensed a lavish Southern hospitality, which indeed they could hardly avoid. A former President is forever condemned to be a public character. All kept open house for their friends, and none could bring himself to close his door to strangers, even when curiosity was the sole motive for intrusion. Sorely it must have tried the soul of Mrs. Randolph to find accommodations at Monticello for fifty uninvited and unexpected guests. Mrs. Margaret Bayard Smith, who has left lively descriptions of life at Montpelier, was once one of twenty-three guests. When a friend commented on the circumstance that no less than nine strange horses were feeding in the stables at Montpelier, Madison remarked somewhat grimly that he was delighted with the society

of the owners but could not confess to the same enthusiasm at the presence of their horses.

Both Jefferson and Madison were victims of the indiscretion of others. Madison was obliged to pay the debts of a son of Mrs. Madison by her first marriage and became so financially embarrassed that he was forced to ask President Biddle of the Bank of the United States for a long loan of six thousand dollars — only to suffer the humiliation of a refusal. He had then to part with some of his lands at a great sacrifice, but he retained Montpelier and continued to reside there, though in reduced circumstances, until his death in 1836. At about the same time Jefferson received what he called his *coup de grâce*. He had endorsed a note of twenty thousand dollars for Governor Wilson C. Nicholas and upon his becoming insolvent was held to the full amount of the note. His only assets were his lands which would bring only a fifth of their former price. To sell on these ruinous terms was to impoverish himself and his family. His distress was pathetic. In desperation he applied to the Legislature for permission to sell his property by lottery; but he was spared this last humiliation by the timely aid of friends, who started popular subscriptions to relieve his distress. Monroe was less

fortunate, for he was obliged to sell Oak Hill and to leave Old Virginia forever. He died in New York City on the Fourth of July, 1831.

The latter years of Jefferson's life were cheered by the renewal of his old friendship with John Adams, now in retirement at Quincy. Full of pleasant reminiscence are the letters which passed between them, and full too of allusions to the passing show. Neither had lost all interest in politics, but both viewed events with the quiet contemplation of old men. Jefferson was absorbed to the end in his last great hobby, the university that was slowly taking bodily form four miles away across the valley from Monticello. When bodily infirmities would not permit him to ride so far, he would watch the workmen through a telescope mounted on one of the terraces. "Crippled wrists and fingers make writing slow and laborious," he wrote to Adams. "But while writing to you, I lose the sense of these things in the recollection of ancient times, when youth and health made happiness out of everything. I forget for a while the hoary winter of age, when we can think of nothing but how to keep ourselves warm, and how to get rid of our heavy hours until the friendly hand of death shall rid us of all at once. Against this *tedium vitæ*, however,

I am fortunately mounted on a hobby, which, indeed, I should have better managed some thirty or forty years ago; but whose easy amble is still sufficient to give exercise and amusement to an octogenary rider. This is the establishment of a University." Alluding to certain published letters which revived old controversies, he begged his old friend not to allow his peace of mind to be shaken. "It would be strange indeed, if, at our years, we were to go back an age to hunt up imaginary or forgotten facts, to disturb the repose of affections so sweetening to the evening of our lives."

As the fiftieth anniversary of the Declaration of Independence approached, Jefferson and Adams were besought to take part in the celebration which was to be held in Philadelphia. The infirmities of age rested too heavily upon them to permit their journeying so far; but they consecrated the day anew with their lives. At noon, on the Fourth of July, 1826, while the Liberty Bell was again sounding its old message to the people of Philadelphia, the soul of Thomas Jefferson passed on; and a few hours later John Adams entered into rest, with the name of his old friend upon his lips.

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CHAPTER I

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